

“Specific evidence” when making National Referral Mechanism (NRM) referral.

When in your professional judgement you think a person is a potential victim of modern slavery you must offer them the support of the NRM. An adult must consent to a referral a child does not need to consent.

On receipt of the NRM referral, the Home Office Competent Authority will consider whether **there are reasonable grounds to believe, based on “specific evidence”, that the person is a victim of modern slavery.** If they believe the person is a victim, they will give a positive Reasonable Grounds Decision (RGD) and the person will receive the NRM support. If they do not believe the person is a victim, they will give a negative RGD.

It is therefore essential that when policing or any other first responder¹ makes an NRM referral, they include “specific evidence” to support the referral. Home Office guidance describes “specific evidence” as a piece of information or evidence based in fact. It includes but is not limited to:

- a. **Indicators of modern slavery:** Are there specific indicators of modern slavery included in the referral?
- b. **Expert reports:** Are there independent expert reports that indicate whether an individual is a victim?
- c. **Travel Records:** Is there confirmation, for example, that the individual was in a country where the claim is centred?
- d. **Added vulnerability:** Is the victim in a demographic known to be particularly vulnerable to modern slavery such as children or those whose age of maturity or developmental stage is that of a child? Does the victim present with vulnerabilities?
- e. **Witness statements:** Is there supporting evidence from an independent witness, e.g., a police officer?
- f. **Information provided by the First Responder:** Has the First Responder provided evidence to explain why they have referred the individual or provided additional evidence or information relating to the person’s exploitation? Is there any evidence raised by the First Responder regarding the credibility of the account?
- g. **Information requested by the First Responder but not provided:** Has the First Responder requested further information that should reasonably be available to the individual that has not been provided?
- h. **Is there prosecutorial evidence** against the accused exploiter that can be considered?
- i. **Views of trusted third-parties other than the First Responder:** For instance, this includes: Adult Safeguarding Services (where engaged in the case of adults), Child Social Services or the Children’s Safeguarding Services, Independent Child Trafficking

¹ First Responders are the 18 organisations authorised to make NRM referrals. Policing is a first Responder.

Guardians (where appointed), Northern Ireland Independent Guardian Service, or Scotland's Independent Child Trafficking Guardians service.

j. **How the referral came to be made:** Was the individual identified by a First Responder? Did the First Responder make the referral as a result of an indicator they identified separate to the account provided by the individual concerned? Did the First Responder make the referral because they were asked to by the individual or by a third party representing them?

k. **Timing of claim:** Was the information raised at the first opportunity, or when asked or at a later stage? Was any delay in disclosure explained or justified?

If the individual has had multiple opportunities to raise information in relation to an instance of modern slavery and fails to do so until action is brought against them, such as an Immigration Enforcement removal direction, then this should be weighed in the balance with all other evidence and may damage their credibility. However, there are circumstances that may result in delayed disclosure; if any of these circumstances are present then these should also be weighed in the balance when deciding whether the timing of disclosure damages credibility. See Evaluating why there may be a lack of detail or errors/inconsistencies in a potential victim's account.

The impact of trauma on victims of exploitation may result in delayed disclosure, difficulty recalling facts, or symptoms of post-traumatic stress disorder. Trauma may also result in memory difficulties – either problems with concentration or attention, or poor memory for past events, e.g. 'gaps' or confusion about events.

Victims may also be extremely fearful of law enforcement and other authorities. This may be due to their experiences in their own or other countries or due to deliberate misrepresentation by their exploiters. It will often take a considerable time for the victim to feel they can trust and confide in policing. Ensure this is explained in detail on the NRM referral.