

Victims of modern slavery inquiry - Written evidence submitted by The Medaille Trust

Executive Summary

1. It is the Medaille Trust's experience that:
 - There is no specialist recognition or support for officially identified potential victims of trafficking (hereafter VoTs, victims, or clients)
 - Ease of access to benefits differs across UK areas, but remains very confusing for everyone to understand, including many DWP staff it seems.
 - Staff understanding of trafficking is inconsistent within DWP offices and nationally
 - DWP staff treatment of victims and communication with support workers is inconsistent and mostly consists of negative and rude behavior
 - Most victims cannot independently support a benefit claim due to their specific vulnerabilities
 - Many victims become street homeless due to lack of support from the state and reluctance to return to origin country due to lack of prospects
 - Medaille Trust staff (hereafter MT staff) have witnessed victims returning to traffickers as a last resort when facing homelessness and destitution
 - Victims and their children who have received discretionary leave to remain have been able to access benefits, but not without challenges. This however, often ends after one year and they once again become at great risk of trafficking and exploitation again.
 - Recommendations include: training DWP frontline staff of victim circumstances and needs, and the importance of polite and friendly mannerisms towards victims; access to benefits with specific support for victims to help them access a life beyond dependency; interpreter support for VoTs.

Brief introduction about the Medaille Trust and the reason for submitting evidence

2. The Medaille Trust was founded in 2006 by a number of Religious Orders and congregations in response to the plight of thousands of people who are being trafficked for slavery in the UK each year. The Medaille Trust registered charity number is 1117830. The Trust was established as a non-proselytizing Christian charity which opened its first safe house in January 2007. We are the main Catholic charity working in this field and run with very small

centralized costs. The majority of our resources are focused on supporting the victims in our existing safe houses.

3. A major part of the Trust's work is direct service provision to those rescued from human trafficking or modern slavery. The charity does this by providing accommodation and support for up to 80 victims and their children at nine safe houses across the country with two more due to open in the next few months, providing an additional 33 beds. To date we have assisted over 1,000 victims of modern day slavery since our formation in 2006. We also raise awareness of human rights and modern slavery through publication of a magazine, our website and carrying out talks at schools, universities, churches and with a variety of faith groups.
4. We are submitting evidence as we are witness to the many challenges that victims face in accessing support from DWP, even if they are entitled to it. We have structured this document by writing responses to the six questions asked by the Committee for Work and Pensions.

What is DWP's role in providing support to recognised victims of modern slavery (both EU/EEA national and non EU/EEA nationals)?

5. There is no statutory support specifically for VoTs from EU/EEA countries following their exit from the National Referral Mechanism (NRM). With positive Reasonable Grounds/Conclusive Grounds decisions, the client should have access to JSA, but the DWP will need evidence that the client has been in the UK for the past three months – even if the client is a victim of trafficking and has no proof of address. With regards to that, the DWP should be asked to contact HMRC directly to confirm client's work history and evidence his/her presence in the UK for three months.
6. Although there have been some positive experiences where the DWP staff were knowledgeable and supportive, MT staff across the majority of support projects have witnessed or been told by clients of relatively poor manner and rude treatment towards clients from DWP staff. Victims of trafficking often cannot speak English, may not be able to provide proof of work or entry into the UK, may be illiterate, and may present as nervous or stressed due to their current circumstances. MT staff have reported that there is no consistency whatsoever between staff internally and there appears little sympathy for identified victims. A little compassion would be nice and an appreciation of the victim's situation. There seems to be no specific guidelines given around the DWP's role and responsibilities to victims which is probably why the levels of interest, empathy and understanding are inconsistent.

7. What is also clear is that there seems to be inconsistency in services across the country. There's been a more positive experience in some areas than others. For example, clients may have had little difficulty accessing benefits they're entitled to in one area, but when relocated to another, they lose their benefit and have to start a new claim, which can be extremely challenging.
8. If the victim has been granted Discretionary Leave to Remain (DLR) because they are assisting Police with an investigation, or for medical reasons, the experience of staff and clients has been much smoother. If the Police are in full support of the clients MT staff have seen that this can make it easier for clients to access their entitlements, but Police support and understanding also differs from force to force.

How effective is this support and what improvements could be made?

Identified victims of trafficking who haven't been granted discretionary leave to remain (DLR)

9. Because of the lack of understanding facing VoTs, as well as due to past experiences, MT staff are reluctant to encourage clients to apply for benefits in the knowledge that the individual will not meet the criteria, won't be able to provide the correct documentation, and will struggle to continue claiming independently. If they do not speak any English, they will not be able to carry out a job search or will miss appointments due to confusion and they will lose benefits anyway. Often it appears likely that they will be homeless and destitute quite soon again following moving on from safe houses due to lack of income and support.
10. The DWP should start making further exemptions for VoT in terms of accessing benefits. The main improvements that could be made is a far more flexible system that takes into account access to benefits is often hindered due to the fact that a vast majority of the victims MT staff deal with will often have no hard forms of ID. There could also be a greater awareness and provision made by the DWP for the linguistic barriers that many of our non-English speaking service users face, for example, unless there is the aid of an interpreter during phone contact with the DWP it is very hard for service users to answer any security questions thus restricting any access benefits or support. A final improvement could be to reduce the response time in terms of sending out important documents such as new NI numbers.
11. To grant benefits to VoTs for a long period of time, without bespoke support for their needs, is not a sufficient or sustainable solution. Many victims need extended support beyond monetary benefits. Many individuals are recruited by traffickers because of their desperate circumstances in their country of origin or in the UK. There are also some individuals who may appear unable or unwilling to work towards an independent and self-

sufficient life-style, who may become street homeless once the benefit entitlement ends because they have not been appropriately supported towards independence. The Medaille Trust has witnessed this on multiple occasions, including in the case of those who have been granted short-term benefits for housing and Job Seekers Allowance for a limited period of time. The root cause of their vulnerability, and sometimes attitude, has not been addressed. Once street homeless they are once again at risk of falling prey to traffickers, or returning to exploitative circumstances as a last resort. Medaille Trust staff have witnessed this also.

Victims of trafficking who have been granted Discretionary Leave to Remain (DLR) or who are British Nationals

Please see below descriptions of the outcomes for victims who have been able to access benefits due to the clear entitlements due to having been granted DLR.

12. Case study 1

A couple (man and woman), both from the same EU member state, were granted DLR as the Police required them to remain in the country and they agreed to assist with the police investigation. Together, they received a range of benefits, but the reception from DWP was still without understanding or compassion. The couple were able to access a two bedroom flat through a housing association to move into on exit from the safe house. The costs of this were met by housing benefit. They were not expected to provide deposits, guarantee etc with this scheme. The local housing office were very rude to MT staff, including the service manager, but eventually they provided accommodation because the couple were entitled due to having been granted DLR. This wasn't without it's challenges. As they were a couple a joint application was made for Job Seekers Allowance, which was successful, because of the DLR. An application for child benefit was also made for the baby they had whilst here in our care.

13. Case study 2

There is a family (man, woman and two children, nationals from the same EU member state) currently in the care of the Medaille Trust. There have been many problems with accessing any form of benefits as their identities were used fraudulently and Medaille Trust staff have only just been able to make a legitimate claim for benefits. They are assisting police and an application for DLR will be made. Staff believe it is likely that they will receive a positive Conclusive Grounds decision. They want to stay in the UK and I will be making an application to local housing but this is still very difficult as there is no accommodation available. We are informed that in this local area there are 609 families on the list. The service manager attends the local housing forum and continues to liaise with them regarding current challenges faced.

14. Case study 3

This refers to a lady with a small child from an EU member state. MT staff applied for DLR for her (which was granted on medical grounds) and as a result of this, again reluctantly,

local housing found her accommodation. This was one of their properties (a flat in a block). Again the costs were met by housing benefit. She received ESA and child benefit, together with family tax credit. This was once again a fight. There was no police involvement in this case.

15. Sadly, this DLR has expired and a request was made for further DLR, which was refused. MT staff have just appealed this decision on her behalf, despite that she is no longer in the service. Staff suspect that this may result in her benefits being stopped, but are awaiting the result of the assessment by DWP. If she has no recourse to public funds she will be forced to return to her country of origin as she is not exercising her treaty rights as an EU national. Returning to her country of origin will have a serious detrimental effect on both her and her child as we know there is inadequate provision for mental health and social welfare benefits/accommodation. Staff believe she will very likely be re-exploited/trafficked. If she remains in the UK without assistance or access to benefits she will become homeless, and with ongoing mental health issues would be completely unable to care for herself, let alone her child. Staff believe accessing mental health services without a permanent address would be almost impossible.

16. Case study 4

In the case of a female victim of British nationality, she had a council flat in another area of the UK. There were ongoing issues with the council about rent arrears, devastation of the property, etc., and she was threatened with eviction. MT staff put a strong case for her to the Exceptional Circumstances Panel (ECP) at the council, trying to convince them that all the issues were consequences of her trafficking circumstances and addiction issues. The council did not recognise her vulnerability and refused her the ECP. However, she was offered the option eventually of downsizing. The council were a little bit more helpful later on.

17. The benefit office refused to pay her housing benefit for the months she spent in the safe house (under the NRM contract) and also refused to pay for her new accommodation until she physically moved in. Medaille Trust staff tried to present her situation and evidence her vulnerability but the DWP office did not change their position. What it meant for the victim, on the brink of starting her new independent life (still in recovery and still very vulnerable), was that the benefit office was ready to put her straight in debt for both rents (she was already paying her previous rent arrears in instalments). This is an example of how the lack of specialist understanding and support for victims of human trafficking from DWP can cause unnecessary hindrances to recovery and move on for identified victims.

What guidance and training is there for frontline DWP staff in contact with victims of modern slavery and how does this compare with other with other frontline areas, e.g. NHS?

18. The Medaille Trust have offered training on Modern Slavery to local DWP offices, which hasn't been accepted. The Medaille Trust has also been invited to speak to DWP teams in another part of the UK, due to a lack of knowledge. Again, this demonstrates inconsistency in knowledge and interest across the UK.
19. DWP should be informed about the rights of victims of trafficking and the risks they face. NHS seems more helpful and staff more knowledgeable, as the clients can apply for HC1 and get financial relief for their prescriptions and also, the clients can be referred to any local GP.

What is the impact on victims of modern slavery when they cannot access support and benefits?

20. The impact we have seen has been huge. One client who was an EU/EEA national, who received a positive CG, following over 7 years of sexual exploitation. Due to her trafficking experience, she was a recovering addict and the issues we had trying to establish whether or not she could claim JSA or ESA proved very difficult. She also ran into issues with passing the Habitual Residency Test and this then impacted on claiming her ESA. MT staff managed to find her move on accommodation with support from another charity but if this had not been available she could potentially have been left street destitute again.
21. If the client has no access to JSA/ESA and has not yet found a job, there is no better 'moving on' plan apart from repatriation, and if they decide to stay in the UK, they will need to present themselves as homeless at the council. Furthermore, even EEA/EU clients on JSA are not eligible for housing benefits. Therefore, they have no further income in order to search for private housing. Due to that, if the victims do not repatriate, they end up street homeless. Victims will often face the danger of being re-trafficked as a means of stability both financially and in terms of accommodation when they exit the service because they are not able to access any JSA or receive housing benefit. There is also the fact that lack of access to support and benefits via the DWP has impacted on the mental state of victims as we have found that some service users have suffered heavy depression because they feel that the system has abandoned them.

22. As an alternative, MT staff have managed to access funds from other charities on an ad hoc basis for deposits and one month rent for private housing as there is no allowance for this. This funding is no longer accessible. As a consequence, victims are often forced to accept poor living standards from landlords who do not provide a contract or rights, and are once again being exploited in the UK.
23. To give some perspective, here are the statistics from one of our 7 safe house projects in the UK. This project has 13 bed spaces for identified victims of trafficking who receive NRM funding.
24. For the year of 2016, so far this project has supported 84 clients (EU/EEA and non-EU/EEA). The below statistics relate to EU/EEA clients:
- 10 of became street homeless (all EEA/EU) on exit from the safe house service, and their access to benefits is unclear as similarly the renewal of the claim after 3 months as they are on the streets
 - 22 EEA/EU clients were repatriated and 1 non EU
 - 1 EU client has returned to their traffickers
 - 1 EU client has gone missing
 - Only 1 client got council housing prior to official completion of recovery and reflection period and after positive CG
 - The remaining number of EU/EEA clients have either moved to friends/family in the UK or are still in service.

What are the costs to the state of supporting victims, including costs if victims become homeless and destitute?

25. This is not an area that the Medaille Trust has expertise in, but we can suggest that there is a huge impact on health care costs in areas such as GP budgets, sexual health screening, maternity costs social care costs, policing costs and local council budgets.
26. Some clients that have become homeless upon leaving the safe house have had criminal records, and have caused criminal damage to Medaille Trust property. Furthermore, destitution affects clients' mental health and Medaille Trust staff have also witnessed that this has lead clients to an increase in alcohol consumption and addiction.

What are the potential impacts of Brexit on the support provided to victims (both EU/EEA national and non EU/EEA nationals)?

27. Potentially, the EEA/EU clients will struggle even more to claim benefits. They, like other EU/EEA nationals may also receive continued or an increase in discrimination from staff who are unaware of their difficulties and challenges as VoTs.