

The Anti Trafficking Monitoring Group

Explainer: The Impact of conflating immigration enforcement with modern slavery February 2026

About the Anti-Trafficking Monitoring Group (ATMG)

The [Anti-Trafficking Monitoring Group](#) (ATMG) is a coalition of fifteen UK based anti-trafficking organisations,¹ established in 2009 to monitor the UK's implementation of European anti-trafficking legislation. The group addresses all forms of human trafficking using a human-rights-based approach. Most members deliver frontline services across diverse demographics, forms of exploitation and all UK nations. Some act as First Responders within the National Referral Mechanism (NRM), others provide legal advice, while others deliver support inside and outside of the Modern Slavery Victim Care Contract and equivalent adult services in devolved nations, as well as the Independent Child Trafficking Guardianship (ICTG) service. The ATMG is considered a key UK expert on the European Convention on Action Against Trafficking in Human Beings (ECAT) and works closely with the Group of Experts on Action against Trafficking in Human Beings (GRETA).

1. Background

Modern slavery is a widely recognised serious human rights violation, encompassing different forms of exploitation, including human trafficking, sexual exploitation, labour exploitation, domestic servitude, criminal exploitation, and organ harvesting, which affect many people in the UK and worldwide. Modern slavery is a severe violation of fundamental rights to liberty, security, and dignity. It can occur across any industry and affect individuals of all ages, genders, and backgrounds.

Those who perpetrate exploitation often use complex methods and thrive in systems that exacerbate individuals' vulnerabilities, especially where support is denied, limited, or difficult to access. These conditions highlight the need for an all-system, human rights-based, and survivor-centred approach to tackling modern slavery. It is essential to ensure that wider government systems do not create or further exacerbate the risk of exploitation.

These principles and the importance of this approach are clearly outlined in ECAT, which provides a comprehensive legal framework for states to prevent and combat trafficking, protect and support victims', and foster international cooperation. In 2007, the UK signed ECAT and, in 2008, ratified it, thereby becoming bound to act in accordance with this Convention.

¹ Anti-Slavery International, AFRUCA and BASNET, Barnardo's, Bawso, ECPAT UK, Flourish Northern Ireland, Focus on Labour Exploitation (FLEX), Helen Bamber Foundation, Hope for Justice, Just Right Scotland, Kalayaan, TARA service, the Scottish Refugee Council, the Snowdrop Project and UNICEF UK

A few years later, the government introduced the Modern Slavery Act 2015 and started to take significant steps to recognise and frame modern slavery as a safeguarding issue, leading to important progress in systems and protections for survivors. These efforts followed an acknowledgement of the risks posed by prioritising immigration enforcement over modern slavery.

The ATMG review of the National Referral Mechanism (NRM) in February 2013² highlighted discriminatory practices within the UK Visa & Immigration (UKVI) department, due to their focus on immigration control and culture of disbelief, which resulted in a failure to identify, protect and support survivors.³

This was followed by an NRM review commissioned by the Home Secretary in 2014,⁴ which led to the government announcing a range of reforms, including the creation of a Single Competent Authority (SCA), introduced in 2019, aimed at ensuring consistency and reducing bias in decision-making.⁵

In recent years, however, we have seen a renewed government focus on immigration enforcement, driven by harmful narratives, including claims of “abuse or misuse of the system”,⁶ which a recent report from Bright Blue found to be unevidenced and illogical.⁷

The Home Affairs Select Committee, which conducted an inquiry into Human Trafficking in 2023, expressed deep concerns around the Government’s de-prioritisation of modern slavery over immigration issues and stressed that *“The Home Office must not conflate immigration with human trafficking and modern slavery at the expense of protection of victims of human trafficking.”*⁸ This approach dangerously conflates immigration control with modern slavery, eroding protections for survivors and undermining the purpose of anti-slavery measures.

This briefing aims to examine the consequences of this approach, its past and current impact, as well as the potential implications for the future.

² The Anti-Trafficking Monitoring Group. (2013). [Hidden in Plain Sight: Three years on: updated analysis of UK measures to protect trafficked](#)

³ Evidence found stark differences in decision making, specifically in relation to the percentage of positive Conclusive Grounds decisions made for British and EU/EEA nationals, which was 80% whereas for non-EEA nationals was less than 20%.

⁴ Home Office. (12 November 2014). [Review of the National referral mechanism for victims of human trafficking](#)

⁵ Home Office. (17 October 2017). [Modern Slavery taskforce agrees new measures to support victims](#)

⁶ The Director General for Statistics at the Office for Statistics Regulation sent a reprimand letter to the Home Office expressing concerns around the Home Office claims that people are “gaming” the modern slavery system. They reported that they don’t have any evidence to confirm these claims. Office for Statistics Regulator. (2022). [Letter to Home Office: Use of National Referral Mechanism statistics.](#)

⁷ Bright Blue. (December 2025). [Properly protected: Reducing victims and abuses of modern slavery in the UK’s asylum system](#)

⁸ Home Affairs Select Committee. (8 December 2023). [Human trafficking](#)

2. The risks of conflating modern slavery with immigration enforcement

The conflation between modern slavery and immigration enforcement is undermining government efforts to tackle modern slavery and leading to the de-prioritisation of measures aimed at addressing it. This is also evidenced by the lack of a cross-departmental modern slavery strategy for both adults and children, leaving the UK's response weak and fragmented.

This approach has driven legislative and policy changes resulting in unequal access to identification and support for survivors, gradually eroding the protection system that took years of government work to develop and improve and moving away from a human rights-based and victim-centred approach in favour of implementing immigration enforcement policies.

One of the first steps signalling this reversal was the establishment of the Immigration Enforcement Competent Authority (IECA) on 8 November 2021, tasked with handling a specific cohort of adult NRM cases, including all foreign national offenders and individuals detained in immigration removal centres.

This was compounded by significant changes to the Modern Slavery Act and its statutory guidance following the commencement of the Nationality and Borders Act (NABA) in January 2023. These changes are delaying or preventing survivors from accessing the NRM, limiting their ability to receive timely support and protection.⁹

Subsequently, additional legislation, including the Illegal Migration Act (IMA) 2023, introduced further restrictions. Although the current government is in the process of repealing parts of this Act, several harmful provisions have been retained, such as section 29, which is an expansion of the public order disqualification introduced under section 63 NABA.¹⁰

3. Current Government's plans and the Restoring Order and Control Policy Paper

The government has recently introduced changes to the modern slavery statutory guidance without any consultation with lived experience experts and the wider anti-trafficking sector. These changes have further restricted access to identification and support,¹¹ and the recent publication of the Restoring order and control policy paper signal the government's intention to introduce new modern slavery legislation aimed at preventing misuse of the system.¹² This

⁹ ATMG, BIICL and HTF. (25 June 2024). [Assessing the Modern Slavery Impacts of the Nationality and Borders Act: One Year On](#)

¹⁰ The Public order disqualification provisions under section 63 NABA gives discretionary powers to the Secretary of State to disqualify potential victims of modern slavery sentenced to 12+ months imprisonment from the recovery and reflection period and removes protections afforded under the NRM

¹¹ Changes brought to the Modern Slavery Statutory Guidance for England and Wales in September 2025 will prevent potential victims who are liable to be removed to countries signatories of ECAT or ECHR from submitting a reconsideration request

¹² Home Office. (21 November 2025). [Restoring Order and Control: A statement on the government's asylum and returns policy](#)

unevidenced rhetoric of ‘misuse’ not only fuels misinformation and division within communities, undermining efforts to support recovery and integration, but also lays the groundwork for legislation designed to limit support rather than strengthen and improve it, as is urgently needed.

Further reforms to the NRM are expected in the coming months, and we are concerned that these changes will continue to prioritise immigration policy and as a result will create a two-tier system in which survivors receive different levels of support depending on where they were exploited or the timing of their disclosure. Such an approach would risk creating hierarchies of ‘more’ or ‘less’ deserving victims and would exclude a significant number of individuals from essential identification and support mechanisms, thus exacerbating the risk of re-trafficking.

Additionally, the government is currently proposing changes to the routes to settlement, introducing very stringent new criteria on top of the existing requirements and significantly extending the timeframe to obtain settled status. These proposals risk creating and exacerbating vulnerabilities to exploitation. Keeping people in prolonged uncertainty and imposing further barriers to settlement undermines individuals’ ability to recover, contribute and integrate in society, and rebuild their lives.¹³

Such rhetoric and policies have historically heightened survivors’ fear of authorities and have been exploited by perpetrators to keep individuals in situations of exploitation, as explored further below. These threats are already being used, and by introducing legislation that reinforces this narrative, we risk giving traffickers additional tools to convince survivors that seeking help from authorities will lead to more harm than staying in exploitation.

4. Impact of conflating modern slavery and immigration enforcement

This conflation is leading to a de-prioritisation of government actions and, ultimately, a failure to effectively tackle modern slavery. It is also harming survivors by increasing fear of authorities, creating and exacerbating conditions of vulnerability through restricted access to identification and support mechanisms, and emboldening perpetrators who thrive in such environments.

The wider rhetoric serves as a divisive narrative, further fracturing communities and fostering fear and suspicion toward victims of this crime.

¹³ Helen Bamber, ATLEU and ECPAT UK. (2025). [Road to Nowhere](#)

4.1 Impact on survivors

Legislative and operational changes prevent access to identification and support

This conflation has led to the introduction of legislation and subsequent changes to the statutory guidance, which have created significant barriers to survivors accessing the support they need, hindering their recovery. Official data shows that since the commencement of part 5 NABA in January 2023, the number of individuals in receipt of a negative decision has significantly increased. NRM statistics report that in quarter 3 2025, 64% of reasonable ground decisions were positive,¹⁴ compared to an average of over 90% prior to the commencement of part 5 NABA.¹⁵

This significant shift in decision-making outcomes since the introduction of NABA signals that when a survivor receives a negative decision is often due to operational, legislative and systemic issues rather than a true assessment of their status as a victim. This is further supported by NRM statistics, which show that about 73% of survivors who received a decision on their reconsideration request in quarter 3 2025 were granted a positive outcome.¹⁶

There are growing concerns about potential bias in the decision-making process, highlighted by significant inconsistencies in outcomes between the two Competent Authorities. In quarter 3 2025, the IECA rate of positive reasonable grounds decisions was 40%, against 70% of positive decisions made by the SCA.¹⁷

This disparity in decision-making has become more pronounced since the introduction of NABA, which led to changes in the online NRM referral form. The revised form now includes a question asking First Responders to flag whether they have concerns about the potential victim's credibility. An analysis of negative reasonable grounds outcomes for NRM referrals made between quarter 1 2023 and quarter 3 2025 shows that cases deemed not credible were overwhelmingly linked to referrals from Home Office agencies (87%). Among the three Home Office agencies acting as First Responders, the Immigration Enforcement Unit accounted for the majority of these referrals (76%).¹⁸ While further investigation is required to conclusively determine the reasons behind the prevalence of these outcomes within the Immigration Enforcement Unit, the existing data already indicate a significant occurrence and suggest the possibility of bias.

¹⁴ Home Office. (2025). *Modern slavery: National Referral Mechanism and Duty to Notify statistics UK, quarter 3 2025 - July to September*

¹⁵ Home Office. (2023). *Modern Slavery: National Referral Mechanism and Duty to Notify statistics UK, end of year summary 2022*

¹⁶ Home Office. (2025). *Modern slavery: National Referral Mechanism and Duty to Notify statistics UK, quarter 3 2025 - July to September*

¹⁷ *Ibid*

¹⁸ Home Office, Modern Slavery Research & Analysis. (2025). *National Referral Mechanism and Duty to Notify Statistics, 2014-2025*. [data collection]. 18th Edition. UK Data Service. SN: 8910, DOI: <http://doi.org/10.5255/UKDA-SN-8910-18>

Beyond these numbers, receiving a negative RG decision effectively means that survivors cannot continue their full identification process unless they submit a reconsideration request that is accepted and results in a positive decision or submit a judicial review. However, a recent report from ATMG and After Exploitation highlights multiple barriers potential victims face to submitting a reconsideration request.¹⁹ Persistent barriers to accessing timely, high-quality legal representation can also limit or delay individuals' ability to receive legal advice on their case and pursue a judicial review where appropriate.²⁰

Under the current system, access to specialist support for victims of modern slavery is contingent upon their continued inclusion in the NRM identification process. Inability to access the NRM or exclusion from it, following a negative decision, prevents survivors from accessing specialist support such as safe housing, financial assistance, and legal aid. If they were receiving emergency support under the government funded contract, they will be exited from that provision. Extensive evidence shows that the lack of appropriate, specialist support hinders survivors' recovery, prevents them from breaking ties with perpetrators, and increases the risk of re-trafficking.²¹

Narratives and policies that exacerbate fear of authority discourage disclosure and perpetuate exploitative dynamics

The use of narratives that reinforce arguments in favour of immigration enforcement over victims' support and based on divisive language has been shown to heighten fear of authorities. Recent research on the impact of NABA, found that *"the rhetoric around NABA and IMA has created a climate of fear, with many individuals expressing concerns to support workers about being evicted from safehouses or deported."*²²

Many survivors already face significant challenges in building a trusting relationship with authorities, particularly at first contact, due to their background, previous experiences with officials in their country of origin, and the trauma of exploitation.

Since the introduction of the Duty to Notify process in England and Wales, data shows a consistent increase in the number of individuals declining consent to enter the NRM. Recent research by the Independent Anti-Slavery Commissioner (IASC) found that 48% of participants cited fear of immigration repercussions, particularly detention and deportation, as the most common reason for refusing consent. Additionally, 38% reported fear of authorities as a

¹⁹ ATMG and After Exploitation. (March 2025). [Modern Slavery Reconsiderations](#)

²⁰ ATLEU. (October 2022). ['It has destroyed me'](#)

²¹ Anti-slavery Commissioner and University of Nottingham Rights Lab. (2021). [Re-Trafficking: The current State of play.](#)

²² ATMG, BIICL and HTF. (25 June 2024). [Assessing the Modern Slavery Impacts of the Nationality and Borders Act: One Year On](#)

contributing factor, especially among those concerned about potential repercussions or being disbelieved.²³

Exploiters often warn victims against approaching authorities, claiming they will be criminalised or removed from the UK. This serves as a powerful coercion tool used by traffickers. For survivors who were forced to commit crimes as part of their exploitation or have insecure immigration status, the fear of being treated as criminals or “illegal migrants” further discourages disclosure of their experiences. This is further exacerbated by the lack of secure reporting pathways, which would ensure that personal data is not shared with immigration enforcement without carefully informed consent so that survivors can access rights without compromising their immigration status.

The repercussions of this conflation affect both adults and children indiscriminately. ECPAT UK²⁴ identified the significant risk of exploitation that child victims of trafficking experience as part of hostile policies and recognised that without the ability to regularise their status, these young people are often forced into situations of uncertainty and precariousness, and many go missing from the care system to avoid being returned and can end up once again in exploitative situations.

The importance of an alternative approach is further underscored in a report by Patricia Hynes, analysing the interlinks between asylum, human trafficking and modern slavery and the hostile immigration policies in the UK. The study suggests that in order to protect vulnerable individuals from exploitation and trafficking, it is essential to “listening to people within safe environments rather than an approach of disbelief, creation of space to allow trusting relationships to be developed within these systems, and attention paid to independent processes with reasonable timescales for status determination that do not render people vulnerable to exploitation or harm could be the first steps to achieve this.”²⁵

However, children are facing increasing barriers and delays in disclosing their exploitation or being identified as victims, particularly following the introduction of the National Age Assessment Board (NAAB). This body has contributed to a rise in children being wrongly age disputed.²⁶ Its establishment within the Home Office represents yet another shift towards prioritising immigration enforcement over safeguarding, with serious implications for children.

An incorrect age assessment can have catastrophic consequences: children may be excluded entirely from the child protection system, prosecuted for immigration-related offences, or

²³ Independent Anti-Slavery Commissioner. (2025). [Refusal to consent](#)

²⁴ ECPAT UK. (11 May 2018). [Child victim of modern slavery also suffer under the UK's hostile immigration regime](#)

²⁵ Patricia Hynes. (2022). [Exploring the Interface between Asylum, Human Trafficking and/or 'Modern Slavery' within a Hostile Environment in the UK](#)

²⁶ Home Office. (22 July 2025). [An Inspection of the Home Office's use of age assessments \(July 2024 - February 2025\)](#)

face removal²⁷ from the UK. These outcomes can severely harm a child's mental and physical wellbeing and significantly increase the risks of going missing or being re-trafficked.²⁸

The current system heightens vulnerabilities that increase the risk of re-trafficking

The current provisions and rhetoric are creating a favourable ground for perpetrators to operate unpunished while strengthening their control and power over vulnerable individuals. The absence of specialist support for survivors of modern slavery is widely recognised as a significant barrier to recovery and increases vulnerability to further exploitation. Coupled up with an increased fear of authorities and lack of real alternatives, leaves potential victims exposed to conditions that heighten the risk of exploitation or re-trafficking.

The NRM was designed as an identification and support system to ensure individuals could access specialist assistance, break free from traffickers' control, and begin rebuilding their lives. While recovery is rarely linear and can be lengthy, sometimes lasting a lifetime, initial access to support and alternative pathways offers a crucial opportunity to escape exploitation and mitigate the risk of being re-exploited. When these systems are pervaded by immigration rhetoric and priorities, they undermine the very purpose of the NRM, rendering it inaccessible.

Destitution, homelessness, mental health issues flourish under certain circumstances, inevitably leading to a heightened risk of exploitation. If consistent support is not provided to all those affected by modern slavery, survivors may be left with no choice but to rely on precarious and exploitative work, trapping them in cycles of exploitation they cannot escape. Once people go underground, it will be more difficult for them to escape their exploiters' control and for authorities to find them and go after the perpetrators of these crimes.²⁹

4.2 Impact on State efforts to tackling modern slavery

Framing and treating the modern slavery response primarily as an immigration issue, rather than as a safeguarding and human rights matter, undermines the government's objectives to tackling modern slavery.

As referenced in the Select Committee report on the inquiry into human trafficking, *"progress would not be made on the UK Government's approach to tackling modern slavery and human trafficking (MSHT) until it stopped viewing MSHT policy through the lens of immigration and acknowledged that human trafficking is not an "immigration offence" (an offence against the State) but an "exploitation offence" (an offence against an individual)."*³⁰

²⁷ Medical Justice. (January 2026). [Politics over people?](#)

²⁸ Refugee and Migrant Children Consortium. (March 2025). [Lost Childhoods](#)

²⁹ Anti-slavery Commissioner and University of Nottingham Rights Lab. (2021). [Re-Trafficking: The current State of play.](#)

³⁰ Home Affairs Select Committee. (8 December 2023). [Human trafficking](#)

The idea that the current modern slavery system should be framed within domestic immigration policies, ignores the basic principles to prevent and combat trafficking, protect victims, and ensure effective investigation and prosecution of traffickers, set down in Article 1 ECAT. ECAT is not naïve to immigration, far from it, the protective measures of identification, protection from removal, support and assistance, and residence permits are specifically designed to protect against the risk of victims wrongly being treated as *“illegal immigrants, prostitutes or illegal workers and being punished or returned to their countries without being given any help.”*³¹

Policies which keep people in insecure immigration status and outside of institutional protection and support mechanisms, only achieve pushing people underground, forcing them to live in precarious conditions and having to rely on support from the community, extended family or their perpetrators. Insecure immigration status prevents individuals from building a long-term life in the UK, to access basic services, work and education, leading them to destitution.³² This creates an unsustainable situation for them and for those who may try to support them. This means that people will live a life in permanent limbo, where they rely on informal support networks, which denies individuals control over their life.

This will also prevent the state from being able to find perpetrators of these crimes, as people won't be able to approach authorities to disclose their experiences and without the opportunity of being appropriately supported and access specialist services to help their recovery, they will be less likely to be in a position of cooperating with authorities. While support should never be based on the individual willingness to cooperate with authorities, the lack of support makes this cooperation even less probable.

It has been shown time and time again that the quality of evidence and cooperation in investigation depends on the support offered to victims and survivors. Many modern slavery cases are closed without a suspect being identified with reported 'evidential difficulties the victim does not support action'.

5. Targeting perpetrators of modern slavery and negative business models that allow exploitation to occur

The government is allocating significant resources to intensify its crackdown on illegal working, with a particular focus on sectors commonly rife with exploitation and modern slavery. However, despite these industries being high-risk, the stated purpose of these raids is framed solely around illegal working and immigration enforcement.³³ The government's

³¹ Explanatory Report to Convention of Europe on Action Against Trafficking in Human Beings (ECATER) (2005). Available at: <https://rm.coe.int/16800d3812-> paragraph 57

³² Helen Bamber Foundation, ATLEU and ECPAT UK. (July 2025). [Road to nowhere: the impact of insecure immigration status of survivors of trafficking](#)

³³ Sky news. (13 January 2026). [Illegal Migrant worker crackdown sees record numbers of raids and arrests](#)

communications make no reference to modern slavery, nor do they outline any additional safeguards to protect individuals affected by modern slavery during these operations.³⁴ The risk is that victims of modern slavery are not identified or offered the support they are entitled to and thus potentially penalised or criminalised.

The government has been unable to provide data on how many of those detained in illegal working raids have been identified for support under the NRM,³⁵ nor have they been able to provide data on how many of those employing people illegally have been prosecuted under modern slavery offences.³⁶ This further underscores the prioritisation of immigration enforcement over the pursuit of modern slavery perpetrators and the protection of those affected.

In order to effectively disrupt modern slavery, the government must take effective measures to address root causes, protect survivors and target perpetrators of trafficking.

Attention should be given to systems in the UK that already create or exacerbate vulnerabilities that leave people at greater risk of exploitation, including restrictive visa regimes³⁷ and exploitative practices within corporate supply chains both domestically and overseas.

In addition to targeting perpetrators, we must also address negative business models that allow exploitation and trafficking to thrive. Effective measures to address modern slavery in supply chains include driving meaningful action to identify harm, address it and prevent it by changing the business models that would allow it to occur in the first place. Specifically, the Government should introduce mandatory human rights and environmental due diligence legislation³⁸ that holds companies accountable for failing to prevent harm and forced labour import bans.³⁹

6. Re-centering modern slavery as a safeguarding issue

It is crucial that the government ends the conflation of immigration enforcement with modern slavery in order to effectively address this crime and prevent its occurrence.

³⁴ Home Office. (13 January 2026). [Illegal working raids reach highest level in UK history](#)

³⁵ UK Parliament. (3 November 2025). [Undocumented workers: Human Trafficking](#)

³⁶ UK Parliament. (14 January 2026). [Undocumented workers: slavery](#)

³⁷ FLEX. (December 2025). [Unravelling the nets: An examination of the seafarer visa policies and their impact on migrant fishers in the UK](#); FLEX. (October 2024). [Closing the Loophole: Exploitation of Migrant Fishing Workers](#); FLEX. (July 2024). [Making the Seasonal Worker visa scheme safer and fairer: Recruitment, redress and working conditions](#); FLEX. (July 2024). [Caring about workers' rights: How a well-designed 'Fair Work Agency' could benefit care workers](#); Kalayaan. (14 June 2024). [12 years of modern slavery](#); FLEX. (June 2024). [Not here for the weather: ensuring safe and fair conditions on the UK's seasonal workers scheme](#); FLEX et al. (December 2023). [Joint Position Paper on Preventing Exploitation in the Adult Social Care Sector](#); Unseen. (2023). [Who Cares? Modern slavery in the care sector](#)

³⁸ Anti-Slavery International. (2024). [A call for a UK Business, Human Rights and Environmental Act](#)

³⁹ Anti-Slavery International (2024). [A call for a UK ban on products tainted with forced labour](#)

Modern slavery must be understood and treated as a human rights violation, requiring a government response focused on safeguarding and prevention.

It is unacceptable for any person to be subjected to the loss of freedom, agency, and dignity and every survivor should be treated first and foremost as a victim of a crime.

This means that any individual should be able to access identification and support mechanisms to support their long-term recovery and move on with their lives without discrimination.

We strongly urge the government to:

- stop the conflation between immigration enforcement and modern slavery and to treat modern slavery primarily as a safeguarding and human rights issue.
- reprioritise modern slavery by developing a cross-departmental modern slavery strategy for adults and children informed by meaningful consultation with the wider sector and lived experience experts.
- adopt a different approach focused on effective prevention mechanisms that address and mitigate the conditions that create or heighten vulnerability to exploitation. This includes assessing how current systems may enable exploitation and strengthening safeguarding and support structures to ensure individuals have access to protection and assistance.