



Amendments to the Immigration and Asylum Bill

Committee Stage, 15th September 2026

1. Introduction

The Immigration and Asylum Bill will significantly weaken the UK's response to trafficking and modern slavery. It will deny access to identification, protection, support and recovery to many survivors. This approach punishes survivors, will embolden traffickers and in doing so enable exploitation to thrive, harming individuals, communities and our economy.

This Bill continues a destructive approach of prioritising an immigration control agenda over safeguarding survivors of a serious crime. The government has used hostile and unevidenced narratives of system "misuse" and misleading language of "last-minute modern slavery claims" to 'justify' weakening modern slavery protections. This creates distrust and scepticism that puts survivors at risk, drives this crime underground and emboldens traffickers.

This short briefing focuses on Identification and support of victims and proposes amendments to such clauses. For long-form briefings on each clause, please click the hyperlinks under each amendment. We also refer to this second reading briefing [here](#) for more information on the impact of each clause.

2. Amendments

Clause 37

What it does: Allows Competent Authorities to make conclusive ground decisions during the recovery and reflection period and to cut off support as soon as a negative Conclusive grounds decision is received, even if it is during the 30-day recovery and reflection period.

Amendment

Clause 37, page 39, leave out Clause 37.

Member's explanatory statement

This amendment would remove Clause 37 from the Immigration and Asylum Bill.

Find the long-form briefing [here](#).

Clause 38

What it does: Sits alongside the commencement of section 29 of the Illegal Immigration Act (IMA) 2023, which makes public order disqualifications mandatory. Clause 38 excludes survivors from NRM support and protection and removes the duty on the government to make a decision as to whether the person has been a victim of modern slavery. This also applies to children with insecure immigration status.

Amendment

Clause 38, page 40, leave out Clause 38.

Member's explanatory statement

This amendment would remove Clause 38 from the Immigration and Asylum Bill.

Find the long-form briefing [here](#).

Clause 39

What it does: Removes the duty to grant temporary leave to remain for recovery purposes.

Amendment

*Replace clause 39 with the following new Clause—
Leave to remain for victims of slavery or human trafficking*

(1) Where a decision has been made by a competent authority that a person is a victim of slavery or human trafficking (a “positive conclusive grounds decision”), that person must be granted—

(a) leave to remain lasting for a period of 60 months,

(b) recourse to public funds and the right to work.

(2) a person granted leave as a victim of trafficking and modern slavery will be eligible for settlement after accruing five years of any form of leave to remain in the UK.

(3) Section 65 of the Nationality and Borders Act 2022 is repealed.”

Member's explanatory statement

This amendment ensures that recognised victims of trafficking (those who have received a positive conclusive grounds decisions) are granted to leave to ensure they can access meaningful long-term support and recovery, seek compensation and/or assist with criminal proceedings where appropriate.

Find the long-form briefing [here](#).

Clause 43

What it does: It allows an authorised person to assess what support and assistance is "necessary" to assist a potential victim in their recovery from any physical, psychological or social harm arising from their exploitation, but gives the Secretary of State power to override that assessment. It also removes the Secretary of State's duty to provide assistance to children on the basis that this duty is already discharged by Local Authorities. However, there is no mention of whether they will be provided with sufficient resources to deliver specialist support, or what oversight and monitoring will be put in place to ensure that local authorities discharge these responsibilities consistently and that children do not fall through gaps in provision. It also removes the duty to support adult victims during the recovery and reflection period where support has been withdrawn due to non-compliance with service requirements.

Amendment

Clause 43, page 45 line (1), leave out subsections (3), (4) and (5) and insert—

“(3) In subsection (2), after the words from “in question” insert “and must have regard to - (a) the best interests of any child concerned;

(b) the need to ensure that assistance is provided on the basis of the individual needs of the potential victim;

(c) the need to act in a way which is compatible with the Council of Europe Convention on Action against Trafficking in Human Beings and European Convention on Human Rights.”

(4) The duties under this section apply equally to child potential victims.

(5) In the case of a child potential victim, assistance and support must be provided in a manner that is age-appropriate, trauma-informed and consistent with the best interests of the child.

(6) The Secretary of State must secure that adequate funding and resources are provided to local authorities for the purpose of ensuring that child potential victims receive assistance and support which is—

(a) compliant with the obligations of the United Kingdom under Article 12 of the Council of Europe Convention on Action against Trafficking in Human Beings, and

(b) at least equivalent in nature and extent to that which would be provided to an adult potential victim under this section.

(7) Nothing in this section prevents a local authority or any other public authority from discharging duties owed to a child under any other enactment, but the existence of such duties does not relieve the Secretary of State of the duties imposed by this section.

(8) The Secretary of State must, within 12 months of this section coming into force and annually thereafter, lay before Parliament a report setting out—

(a) the funding provided to local authorities for the purpose of supporting child potential victims of trafficking,

(b) an assessment of whether such funding is sufficient to enable compliance with Article 12 of the Council of Europe Convention on Action against Trafficking in Human Beings, and

(c) the number of child potential victims who have not received assistance and support equivalent to that which would have been provided under this section to an adult potential victim.”

Member's explanatory statement

This amendment ensures that the Secretary of State provides access to support and assistance to every adult and child victim of trafficking and exploitation in a way that is compatible with Article 12 Council of Europe Convention on Action Against Trafficking in Human Beings (ECAT). It also places a duty on the Secretary of State to provide adequate funding to local authorities and introduces annual reporting to Parliament on support provided to child potential victims and the sufficiency of funding arrangements.

Find the long-form briefing [here](#).

New Clause – First Responder Organisations

Amendment

After clause 43, insert new clause -

"First Responder Organisations

(1) For the purposes of developing a more effective system for identifying victims of modern slavery, ensuring timely safeguarding and consistent access to support, the Secretary of State must, within 3 months of the passing of this Act, and on an annual basis thereafter, make provision to broaden the number of first responder organisations which are not public authorities ("non-statutory first responder organisations")—

(a) following regular review of—

(i) the number of referrals received and increasing the number of non-statutory first responder organisations according to the increase in referrals received; and

(ii) the geographic and exploitation type gaps and increasing the number of non-statutory first responder organisations according to identified geographic and exploitation type need;

(b) through open tendering of non-statutory first responder organisations based on the needs identified in subsection (1)(a), established—

(i) through a transparent recruitment process; and

(ii) with a focus on specialist professional expertise.

(2) For the purposes of addressing training gaps amongst first responder organisations, the Secretary of State must review, report on, and analyse the quantity and quality of training provided to all first responder organisations, and particularly for statutory first responder organisations.

(3) For the purposes of increasing capacity and efficiency amongst first responder organisations, the Secretary of State must provide resources to non-statutory first responder organisations."

Member's explanatory statement

This new clause would require the Secretary of State to increase first responder capacity for the purposes of ensuring effective safeguarding and access to support for survivors of modern slavery by enabling more first responder organisations to make high-quality referrals to the National Referral Mechanism.

Find the long-form briefing [here](#).

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