

These briefings provide an analysis of the [publicly available UK National Referral Mechanism \(NRM\) data](#) on potential victims of modern slavery and the disaggregated [NRM data which is available from the UK Data Service \(UKDS\)](#).¹ The NRM is the UK's official system through which victims of modern slavery are identified and supported (See the 'How NRM decision-making operates' box below).

This is the ninth in a series of briefings produced by IOM UK which follow each quarterly release of NRM data from the Home Office. The briefings focus on recent NRM data, but also use historical NRM data for context. They provide an analysis of key highlights, ongoing trends, and data gaps identified by IOM UK. The analysis of the disaggregated NRM data from the UKDS enables the briefings to offer additional detailed analysis to the Home Office's own statistical bulletin for each NRM data release.

This briefing focuses on the first 6 months of 2024 and highlights four key findings from analysis of the data (see box on right).

1,050 Vietnamese nationals were referred to the NRM in the first half of 2024, more than the total number of referrals in 2023.

Both quarters in the first half of 2024 saw record high numbers of Vietnamese NRM referrals (492 in Q1, 2024 and 558 in Q2, 2024). The total of 1,050 Vietnamese referrals in the first 6 months of 2024 is already higher than the total 991 referrals in the whole of 2023. Graph 1 shows there has been an increase in both Vietnamese adults and children being referred to the NRM.

Research published in 2017 highlighted that Vietnamese victims trafficked to the UK commonly travelled to China or Russia before travelling overland into Eastern and Central Europe, then moving on to Western Europe, and finally the UK. Subsequent research published by [Anti-Slavery International](#) and [ECPAT UK](#) and [IOM and the University of Bedfordshire](#) in 2019 found continued use of the same routes with exploitation and abuse throughout those journeys.

HOW NRM DECISION-MAKING OPERATES

The National Referral Mechanism (NRM) has a two-stage decision-making process for identifying potential victims of modern slavery (a term that includes any form of human trafficking, slavery, servitude or forced labour). The first stage is the Reasonable Grounds (RG) decision, which should be made within 5 working days of a potential victim being referred to the NRM. The RG decision is a "decision taken by the competent authorities as to whether the decision maker agrees there are reasonable grounds to believe, based on all available general and specific evidence but falling short of conclusive proof, that a person is a victim of modern slavery."¹ A positive RG entitles a person to a reflection period of at least 30 days to receive specialist support and assistance. The second stage Conclusive Grounds (CG) decision should be made no sooner than 45 days after the RG decision, and is made on the 'balance of probabilities' threshold. Both the RG and CG determinations are made by the Single Competent Authority (SCA) and Immigration Enforcement Competent Authority (IECA) which both sit within the Home Office. Further information on the NRM is available [here](#).

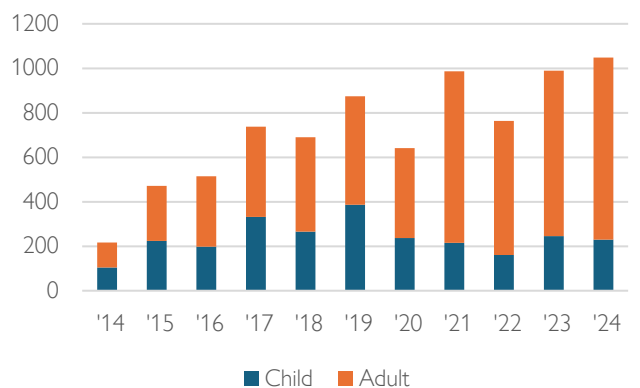
HIGHLIGHTS

1,050 Vietnamese nationals were referred to the NRM in the first half of 2024, more than the total number of referrals in 2023.

66% of people who were able to challenge their negative Reasonable Grounds decision in the first half of 2024 had the decision overturned. This raises concerns about the quality of decision making.

74% of Reasonable Grounds decisions in the first half of 2024 were positive for child exploitation referrals; generally, the older the person was at the time of referral, the less likely they were to receive a positive decision.

Only 21% of Conclusive Grounds decisions awarded by the Immigration Enforcement Competent Authority in the first half of 2024 were positive compared to 75% by the Single Competent Authority.



Graph 1: Number of Vietnamese NRM referrals per year by age group at referral

In 2024 new NRM data was published through the [UK Data Service \(UKDS\)](#) on the different countries that people were exploited in before they arrived in the UK. The data for Vietnamese referrals in 2024 suggests a continuation of the routes mapped in previous research.

¹ Home Office, *Modern Slavery Research & Analysis*. (2024). *National Referral Mechanism and Duty to Notify Statistics, 2014-2023*. [data collection]. 13th Edition. UK Data Service. SN: 8910, DOI: <http://doi.org/10.5255/UKDA-SN-8910-13>

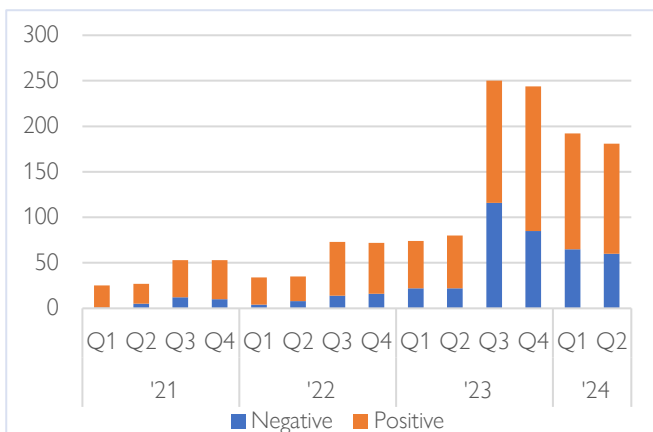
IOM UK will continue monitoring Vietnamese referrals and analyse the data on the countries where exploitation occurred before they arrived in the UK. IOM UK will also maintain regular contact with IOM Viet Nam, which delivers extensive counter-trafficking activities across Viet Nam, to better understand and respond to increased referrals from Viet Nam.

66% of people who were able to challenge their negative Reasonable Grounds decision in the first half of 2024 had the decision overturned.

There is no formal, automatic right to appeal a negative NRM decision. A negative Reasonable Grounds (RG) or Conclusive Grounds (CG) decision can only be challenged via a reconsideration request or a judicial review.

The Modern Slavery Act Statutory Guidance explains that a reconsideration request should be made within one month of the negative decision. It also explains that reconsideration requests will only be permitted when the Home Office decision maker reviewing the request “considers that there are good reasons” for the decision to be reconsidered. If accepted, a reconsideration request can be submitted to the decision maker by the individual or someone supporting them. A decision maker will then issue a new decision.

Graph 2 shows the outcomes of cases where a reconsideration request was accepted for negative reasonable grounds decisions. As information is not provided in the data set about how many requests were rejected, this is not included in the graph.



Graph 2: Outcomes of Reconsideration Requests for Negative Reasonable Grounds decisions

The graph shows a significant increase in the number of cases which have been reconsidered since important changes in January 2023 on how RG decisions are made. (See IOM UK’s NRM briefing #7). The number of decisions which were reconsidered in the second half of 2023 was three times higher than the total in the first half of 2023. While the total in the first half of 2024 was about 25% lower than the second half of 2023, the percentage of

reconsiderations which resulted in a negative decision being overturned and a positive decision being issued was slightly higher. Of 373 reconsiderations, 66% subsequently received a positive decision.

The high rate of positive decisions for reconsidered cases raises concerns about the quality of decision making and the current practical challenges to have a decision reconsidered suggest a need for a review of the policy around such requests and the timelines in which they can be made. As part of this process, the possibility of publishing the total number of requests which are submitted should be considered, rather than only publishing data on the outcomes of decisions where the request was accepted.

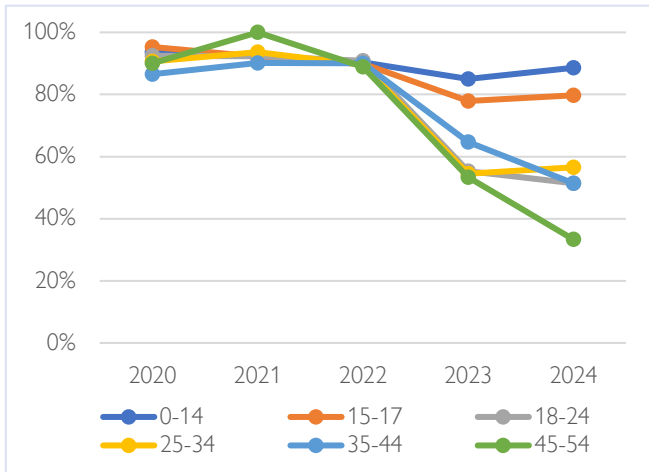
74% of Reasonable Grounds decisions in the first half of 2024 were positive for child exploitation referrals; generally, the older the person was at the time of referral, the less likely they were to receive a positive decision.

Prior to 2024, the Home Office’s quarterly NRM statistics used the reported age at the time of potential exploitation as the basis for data about adults and children. In the first quarter of 2024 those statistics began including data on the age group (child/adult) at the time of referral, as well as data on the age group (child/adult) at the time of the potential exploitation.

At the same time, the disaggregated NRM data published by the UKDS was updated to show both the age group at referral and reported age group at the time of exploitation for all referrals since 2014. IOM has analysed this data to produce Graph 3, which shows the RG decisions for referrals of cases of potential child exploitation for the different age groups at the time of the referral.² The graph shows that prior to 2023, there was little difference in the percentage of positive decisions between the age groups at the time of referral. In 2022, nine out of ten decisions were positive across all age groups.

However, following changes to how RG decisions are made at the start of 2023, significant differences have emerged and continued into the first half of 2024. In the first half of 2024, 74% of RG decisions for all referrals of potential child exploitation cases were positive. However, the graph shows that the older people were at the time of the referral, the less likely they were to receive a positive decision for their potential exploitation as a child. Whereas nine out of ten people aged between 0-14 received a positive decision, only three out of ten people aged 45-54 did.

2. The oldest age groups are not included because of the very small number of cases.



Graph 3: Percentage of positive RG decisions for cases of potential child exploitation by age at referral

However, the 18-24 age group does not fit that pattern. Only half of people aged 18-24 received a positive decision. Further investigation is needed to understand why young adults who may have been very recently exploited as children have such a significantly lower rate of positive decisions than those referred aged 15-17.

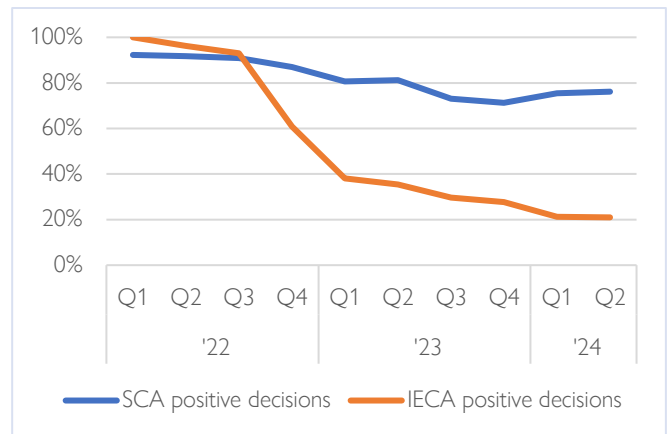
The Home Office explains that RG decision making “takes the victim’s account into consideration and any other relevant information, and considers whether, in the circumstances of the case, it is reasonable to expect supporting information to be available.”

One hypothesis for the recent low percentage of positive decisions for the older referrals is that the significant passing of time makes it more difficult for people to provide the supporting information which is now required for a positive decision. However, the current data does not provide a clear understanding of the length of time between potential exploitation and referral. While there is detailed data on the age at referral, the data on the reported age at exploitation is much less precise. NRM referrals are either reported as having been exploited as a child or as an adult. Presently, if someone was exploited from the age of 16-26, they could be recorded as having been reported as a potential victim of child exploitation and referred to the NRM aged 25-34. Having more detailed data on the age at exploitation would support greater understanding of the circumstances of these referrals.

Only 21% of Conclusive Grounds decisions awarded by the Immigration Enforcement Competent Authority in the first half of 2024 were positive compared to 75% by the Single Competent Authority

Since the end of 2022, a significant difference in the number of positive Conclusive Grounds decisions awarded by the Immigration Enforcement Competent Authority (IECA) and Single Competent Authority (SCA) has emerged. IOM UK’s 2022 NRM briefing highlighted that only 60% of CG decisions in Q4, 2022 by the IECA were positive compared to 87% by the SCA.

Graph 4 shows that the difference has continued to grow as the percentage of positive decisions by the IECA has fallen in every quarter since the end of 2022. In each of the first two quarters in 2024, only one in five CG decisions made by the IECA was positive compared to three in four decisions by the SCA.



Graph 4: Percentage of positive CG decisions by competent authority

The Home Office’s statistical bulletins do not offer any explanations for the unprecedented and growing discrepancies in positive decision making between the IECA and SCA. In the meantime, the Home Office recently transferred 1,914 cases pending a CG decision to the IECA. Those cases are in line with the IECA’s cohort but were referred before it was established.

IOM’s submission to the Independent Chief Inspector of Borders and Immigration (ICIBI) inspection of the IECA highlighted the concern that the IECA’s existence “inextricably links decision making with the immigration system.” IOM will continue monitor data on decision making by the IECA and awaits the findings and recommendations in the ICIBI report.

ABOUT IOM

Founded in 1951, IOM is the leading inter-governmental organization in the field of migration. With 175 member states and presence in over 180 countries, IOM as the UN Migration Agency is committed to the principle that humane and orderly migration benefits migrants and society. The organization works with its partners in the international community to assist in meeting the operational challenges of migration, advance understanding of migration issues, encourage social and economic development through migration and to uphold the well-being and human rights of all migrants. In the UK, IOM provides policy advice and operational support to ensure migration is well managed. Programmatic work includes resettlement and family reunion, immigration advice for vulnerable migrants and support to victims of modern slavery. (See www.unitedkingdom.iom.int for more information). To contact IOM UK about this briefing, please email pburland@iom.int