

Written evidence submitted by Unseen UK to the Immigration and Asylum Bill Committee (IAB20)

1. Executive summary

- 1.1. Unseen is a national charity working towards a world without slavery that was founded in 2008. Our organisation operates the UK Modern Slavery & Exploitation Helpline (MS&EHL) and provides direct support to potential victims and survivors of modern slavery (MSHT) as a sub-contractor to the Modern Slavery Victim Care Contract. As a MSHT First Responder organisation, our frontline team identifies and refers potential victims to the National Referral Mechanism (NRM). We provide a range of services to businesses, advising them on strategies to prevent, identify and address MSHT risks in their operations and supply chains. We also collaborate with a range of statutory and non-statutory agencies, supporting them to improve their responses to MSHT.
- 1.2. This submission reflects evidence collated by Unseen through our direct work with survivors, statutory agencies and corporate organisations, and includes evidence provided by confirmed survivors of MSHT.
- 1.3. In short, Unseen's expert assessment – drawn from our frontline experience – is that clauses 11, 36, 37, 38, 39 and 43 of the Immigration and Asylum Bill (the “**Bill**”) will increase MSHT in the UK—an economic crime estimated to cost the economy £60 billion each year¹.
- 1.4. **Our view is that the above clauses will:**
- 1.5. It is our understanding that the above clauses will:
 - 1.5.1. prevent the accurate identification of MSHT survivors, violating the UK's international commitments, including the European Convention Against Trafficking (ECAT) and the European Convention on Human Rights (ECHR);
 - 1.5.2. block survivors of MSHT, including British nationals, from accessing the support to which they are entitled and increase their risk of re-trafficking;
 - 1.5.3. reduce the intelligence held by UK authorities relating to people smuggling and human trafficking;
 - 1.5.4. prevent the disruption and prosecution of human traffickers, and;
 - 1.5.5. increase the population of people living in the UK without a formal immigration status.
- 1.6. We welcome clauses 25-34, 40-42 and 44-49 that strengthen civil orders, Independent Child Trafficking Guardian's and corporate accountability. However, these provisions are

¹ [*The economic cost of modern slavery: policing*](#), Unseen UK, p3

insufficient to address their respective areas. Increased resource for law enforcement to pursue criminal justice outcomes, a national child exploitation strategy and Mandatory Human Rights Due Diligence is required².

1.7. The remainder of this submission proceeds as follows:

1.7.1. Section 2 sets out our overarching commentary on the misapplication of immigration legislation to MSHT;

1.7.2. Sections 3 to 9 set out our detailed analysis of clauses 11, 36, 37, 38, 39 and 44 to 49; and

1.7.3. Section 10 sets out our recommendations.

2. MSHT is an economic crime, not an immigration issue

2.1. MSHT is an established economic crime and the Bill's attempt to address it through the lens of immigration policy is, in our view, misconceived and likely to prove counterproductive. This is compounded by the fact that the underlying rationale – that MSHT support systems are being widely abused to secure immigration status – is not supported by evidence, not least because no route to recognised immigration status exists solely on basis on being a survivor of MSHT.

2.2. MSHT is often perpetrated by organised crime groups (OCG) and MSHT criminality intersects with and enables other crime types such as:

2.2.1. violence against women and girls;

2.2.2. fraud, money laundering and tax evasion;

2.2.3. youth knife violence;

2.2.4. drug dealing and cultivation;

2.2.5. acquisitive crime; and

2.2.6. anti-social behaviour.

2.3. Given the breadth and severity of the criminality with which MSHT is associated, we believe it warrants a dedicated, evidence-led response in its own right, rather than being addressed as a subset of immigration policy. The clauses examined below illustrate how, in seeking to do the latter, the Bill risks undermining identification, protection and prosecution mechanisms that are essential to tackling MSHT effectively.

3. Clause 11: Claim notices

3.1. Clause 11 requires that some survivors of MSHT must submit information relating to their exploitation ('status information') when issued a claim notice. Where they fail to provide information relating to their exploitation in a claim notice they may later be

² [Decade of dignity: A strategic vision for eradicating modern slavery in the UK](#), Anti-Slavery International et al

deemed to lack credibility, and if they submit information past the given deadline, they may be deemed to lack credibility and later be removed from recognition, protection and support.

3.2. **VCL and AN vs The United Kingdom 2021 confirmed that it is incumbent on the state to identify a potential victim of trafficking (PVoT) rather than the victim³.** The requirement that a victim disclose their exploitation in a claim notice or face denial of protection and support due to Clause 36 of this Bill is incompatible with this ruling.

3.3. **The practical application of Clause 11 may be incompatible with ECAT Article 3 ('non-discrimination principle').** The discretion of the Secretary of State (SoS) to determine a claim notice deadline case by case is arbitrary and parliament should seek clarification on the factors determining the length of time permitted to submit a claim notice. Unseen has identified evidence that certain groups and identities have been unduly targeted by the application of modern slavery provisions in previous immigration legislation⁴.

4. Clause 36 – Deciding if a person is a victim: credibility

4.1. Clause 36 inserts a new section 60A into the Nationality & Borders Act 2022, requiring competent authorities to treat delay in disclosure, inconsistencies, omissions and similarities between accounts as damaging to a person's credibility when making reasonable grounds or conclusive grounds decisions, unless there's 'good reasons' for them.

4.2. For the following reasons, requiring the proposed factors to be treated as damaging to a survivor's credibility raises serious concerns:

4.3. **The very effects of trafficking can shape how and when survivors disclose their experiences may become the basis on which they are denied protection.** Clause 36 requires that a survivor must rapidly disclose their trauma, provide a consistent account of their journey through exploitation, and present a unique trafficking experience to receive protection. These requirements are dislocated from established MSHT crime and survivor profiles.

³ [VCL and AN vs The United Kingdom](#)

⁴ [Restoring Belief, Reducing Criminality: the impact of modern slavery provisions in recent immigration legislation](#), Unseen UK 2026

- 4.4. **Survivors may be unable to disclose their exploitation on their first contact with authorities due to overlapping methods of trafficker control.** Traffickers routinely threaten survivors and their families with violence, including credible threats of harm. They may also deliberately create circumstances that inhibit disclosure, such as coercing survivors into criminal activity or visa overstaying and threatening to report them to the

Janet was recruited to work in a residential care home. Her employer charged her £10,000 for a certificate of sponsorship. She was then forced to work sometimes 18-hour shifts for up to 10 days in a row.

Deductions were made from her pay to recoup the £10,000, leaving her with as little as £200 per month.

If she complained her employer threatened to report her to the Home Office and have her deported. They had also threatened to harm Janet and her family in Zimbabwe if she reported the situation.

Case study from the Modern Slavery & Exploitation. Names and locations changed to protect anonymity.

authorities. Debt bondage is another widely used method of control.

- 4.5. **Traffickers often convince survivors they will not be believed and prevent them from gathering evidence.** As with other forms of coercive abuse, traffickers convince survivors that no one will accept their account, while also taking travel documents, bank cards and phones, and isolating them from anyone who could corroborate their experience.

- 4.6. **Trauma can undermine survivors' trust in authorities and their ability to recognise their exploitation.** Abuse, coercive control and encounters with corrupt or complicit officials can make survivors distrust authorities and blame themselves. Many also do not recognise their experiences as 'modern slavery', as demonstrated by Al Fayed survivors who disclosed their exploitation only after documentaries contextualised their experiences as human trafficking.

...in my mind, when in my first interview they asked me about human trafficking or, you know, MSHT [I said] "No, no, no, I'm not in this" because I thought there was an old age [practice]...⁵

- 4.7. **Survivors may provide inconsistent accounts because of their MSHT experiences.** Trauma can affect memory and the ability to recall events coherently or chronologically⁶, making inconsistencies in survivors' accounts common.

With the] first responder [as if], when we sit alone and then we will...say every single thing which is in your head, all those, and you are in the trauma, you're

⁵ Unseen service user

⁶ [Katona et al., Briefing Paper: The mental health difficulties experienced by victims of human trafficking \(modern slavery\) and the impact this has on their ability to provide testimony, p1](#)

not remember many things, you are be not talk just straightforward in report. Just like a lot of things in your mind⁷.

- 4.8. **Survivors may provide inconsistent accounts due to trafficker control.** Isolation and restricted movement can distort survivors' perception of time and place. Traffickers may also make official applications on survivors' behalf without their knowledge, which can later be used to discredit their accounts.
- 4.9. **The nature of human trafficking can produce similarities in survivor accounts.** Traffickers often use established methods of recruitment, control and exploitation, creating recognisable crime profiles. While these vary by exploitation type and victim group, common environmental factors can produce strikingly similar experiences.
- 4.10. The UK's rise in confirmed MSHT cases in the care sector following the expansion of the Health and Social Care visa illustrates this⁸. The visa and employment model created conditions in which thousands of workers were exploited through similar methods.
- 4.11. Similarly, the Modern Slavery & Exploitation Helpline has identified hundreds of survivors who have been trafficked whilst traversing the Central Mediterranean Route who have been subject to exploitation by perpetrators that employ models enabled by that environment: abduction, ransom, forced labour on farms.
- 4.12. Low prosecution rates also allow trafficking networks to operate for years, using the same effective model to exploit multiple victims. The network associated with Mohammad Al Fayed demonstrates this: hundreds of women have disclosed similar recruitment, control and exploitation because this network was not disrupted.
- 4.13. **Under the Bill, survivors will be penalised for professional failures to identify MSHT.** MSHT training is not mandatory for First Responders, with fewer than half of local authorities providing training⁹. Awareness of statutory duties in line with ECAT and

In CE's asylum interview he disclosed his experience of MSHT but was not asked any questions about it or offered the NRM. Following calls to the Helpline, Unseen submitted a referral to UKVI advocating for CE, requesting that UKVI act as a First Responder. Two months later, CE contacted the Helpline as he had still not been contacted by UKVI.

Case study from the Modern Slavery & Exploitation. Names and locations changed to protect anonymity.

⁷ Unseen service user

⁸ [Who cares? A review of reports of exploitation in the care sector](#), Unseen UK

⁹ [The Development of a Preliminary Training Framework for Local Authorities as Modern Slavery First Responders in England and Wales](#), Anti-Trafficking Monitoring Group, p48

ECHR remains low. Unseen regularly advocates for survivors who have not been referred to the NRM despite disclosing to First Responder agencies.

4.14. **Many are unaware of how trafficker control methods and trauma create inconsistencies in survivor accounts.** When referring a person to the National Referral Mechanism through the online portal, First Responders are asked whether a person's account is credible. Professionals are not trained to identify how trauma can cause inconsistencies in a person's account, how trauma can present as disassociation, and how trafficker control methods can lead a person to appear inconsistent.

4.15. Evidence gathered for a 2026 Unseen report showed police officers initially dismissing survivor accounts due to misunderstanding about MSHT presentation:

'There is certainly occasions where I've originally gone "no, this can't be true" only to then see something months down, [a] year down the line, and think, "oh, wait a minute. I made that decision a year ago saying this person's clearly making it up when actually I've now seen evidence that what they're saying - it may have actually happened"'¹⁰.

4.16. **First Responder agencies fail to complete NRM despite clear instruction.** The MS&EHL refers potential victims to statutory agencies to request completion of a NRM referral. Referrals include information outlining the MSHT indicators identified and the

DG sought asylum in the UK. He received a letter from the Home Office stating that he had to contact the Helpline within five days to be entered into the NRM. The Helpline contacted UKVI requesting that they act as a First Responder. The process for conducting a First Responder interview and referral was explained to UKVI. The Helpline referral was forwarded five times to different UKVI teams. UKVI then forwarded the referral back to the Helpline having not fulfilled their First Responder duties.

Case study from the Modern Slavery & Exploitation. Names and locations changed to protect anonymity.

agency's statutory duty to refer, but agencies do not complete the NRM.

4.17. **Survivors often lack timely, quality legal advice to support disclosures.** Those unaware that they have experienced MSHT or that support is available do not know what information is relevant to authorities. In 2026, Bail for Immigration Detainees reported that only 27% of people in detention had access to legal advice¹¹. Survivors

¹⁰ [Restoring Belief, Reducing Criminality: the impact of modern slavery provisions in recent immigration legislation](#), Unseen UK, p43

¹¹ [Monitoring access to justice in immigration detention June 2026](#), Bail for Immigration Detainees

also report receiving poor-quality advice, including being advised to decline NRM referral on the basis that it could disrupt their asylum claim¹².

- 4.18. **Survivors are required to relay their experiences to several agencies and inaccuracies recorded by each professional may themselves be used to challenge survivor accounts.** The information that a First Responder gains from a survivor is subjective to their interpretation, cultural variations in meaning and the efficacy of a translator.

In my own experience during a Home Office interview, the interpreter was not translating my words accurately. When I tried to correct the translation to ensure the truth was told, the interviewer told the interpreter to tell me to 'stop the drama'¹³.

- 4.19. **The 'good reasons' safeguard will not adequately protect survivors from credibility challenges.** Clause 36 allows mitigation where 'good reasons' are identified, but these will be defined in future statutory guidance. We are concerned that the Bill will proceed without parliamentary scrutiny of what constitutes a 'good reason', despite many survivors being likely to meet discrediting criteria as a result of their trafficking experiences and professional failures.

- 4.20. **Survivors are already denied protection due to misapplied policy that questions survivor credibility.** In evidence gathered for a 2026 Unseen report we identified that competent authorities were overruling police evidence to disqualify survivors on credibility grounds. A police officer described:

...she signed a visa application. Where she later says, "well, no, my partner...actually wrote the application for me and I just signed" ...and [the competent authority] said, "well, you've signed it. That's the document we can use. And we're going to say that's an inconsistency on your complaint". And yet... it was clearly a domestic servitude situation¹⁴

- 4.21. **Clauses 36 will make it harder for law enforcement to prosecute serious and organised criminality in the UK, including organised immigration crime.** If survivors are removed from protection it is possible for law enforcement to pursue what's termed 'victimless prosecutions'. However, procedural requirements and under-resourcing do not allow for victimless prosecutions to be pursued in most cases. Survivors who have been trafficked to the UK through irregular means such as small boat crossings may be able to provide law enforcement with information about criminal networks if appropriately safeguarded through the National Referral Mechanism.

¹² [Refusal to consent: Factors influencing the uptake of modern slavery support under the National Referral Mechanism](#), Independent Anti-Slavery Commissioner, p21

¹³ Unseen service user

¹⁴ [Restoring Belief, Reducing Criminality: the impact of modern slavery provisions in recent immigration legislation](#), Unseen UK, p45

4.22. **Police forces are often only alerted to instances of MSHT after a positive reasonable grounds is reached**, and where those decline, so will opportunity for law enforcement to pursue traffickers. When acting as First Responders, investigators will routinely use the outcome of a reasonable grounds decision to consider whether to launch an investigation¹⁵ – which is likely incompatible with ECHR Article 4.

4.23. **As fewer victims are engaged through the NRM system, the pool of intelligence about MSHT shrinks for law enforcement.** Under capacity pressures, a lower recorded incidence of MSHT will result in lower resourcing for this crime type. In turn, reduced exposure to MSHT cases limits opportunities for officers to develop the specialist expertise needed to recognise trafficking indicators, further weakening their ability to identify trafficking when they encounter it – exemplified by the slow recognition of the Al Fayed offending as human trafficking.

5. **Clause 37 – Recovery period to end on making a negative conclusive grounds decision**

5.1. Clause 37 allows that the 30-day recovery period afforded to a potential victim can be withdrawn where a negative conclusive grounds decision is reached before 30 days.

5.2. **Clause 37 is incompatible with ECAT Article 13(1) which states that** “[e]ach Party shall provide in its internal law a recovery and reflection period of at least 30 days, when there are reasonable grounds to believe that the person concerned is a victim”. A Conclusive Grounds decision does not override a Reasonable Grounds decision as the test for each is distinct.

5.3. **77% of reconsideration requests for negative conclusive grounds decisions were returned positive in 2025.** The unreliability of conclusive grounds decision making means that ending the recovery period immediately upon an initial negative decision risks withdrawing protection from people who would subsequently be recognised as victims, and will likely lead to them not being recognised because:

5.4. **Survivors require support to submit a reconsideration request for a negative conclusive grounds decision.** Language and literacy barriers, access to technology, complex legislative systems will preclude many survivors from successfully requesting a reconsideration without the support of MSVCC or legal organisations.

5.5. **Survivors require time in support to disclose sufficient information to support a conclusive grounds decision.** Survivors require time to build trust with UK services, to access therapeutic services, and address immediate health needs before engaging effectively with professionals and disclosing information required to support a conclusive grounds decision.

¹⁵ [Restoring Belief, Reducing Criminality: the impact of modern slavery provisions in recent immigration legislation](#), Unseen UK, p46

- 5.6. **Statutory agencies require time to submit sufficient information to support a conclusive grounds decision.** Several sources of information may be sought to substantiate a modern slavery claim, including police reports, medical reports, travel records. Under resource constraints it is not always possible for agencies to produce information in a timely manner. A window of 30 days is a minimum requirement for supporting information to be submitted.
- 5.7. **Clause 37 will violate international commitments where it renders a survivor vulnerable to re-trafficking.** Clause 37 requires that individuals who receives negative conclusive grounds are removed from MSVCC support within 24 hours. For many survivors, this will result in their destitution and place them at a high risk of re-trafficking.
- 6. Clause 38: Disqualification from protection**
- 6.1. Clause 38 requires that the SoS disqualify a potential victim who has previously been sentenced for a crime, and more clearly defines the basis on which a ‘bad faith’ disqualification can occur.
- 6.2. **MSHT perpetrators pose a significant threat to public order in the UK.** The application of Public Order Disqualifications (POD) to survivors, irrespective of the severity of their crime or its historic nature, enables human traffickers to continue offending whilst subjecting vulnerable adults to double punishment.
- 6.3. **R (ARW) v Secretary of State for the Home Department 2025 determined that the POD is incompatible with the UK’s international commitments¹⁶.** The High Court held that the SoS’s guidance on POD was unlawful insofar as it imposed a presumption in favour of making a POD and confirmed that the discretion under Section 63 of the Nationality and Borders Act 2022 must be exercised compatibly with Article 13(3) of ECAT. The Court also found that the SoS’s assessment of re-trafficking risk had wrongly focused only on the risk from the survivor’s former traffickers, without considering their wider vulnerability to re-trafficking. Clause 38 risks entrenching a similarly narrow approach in primary legislation: it’s ‘immediate and significant’ risk test does not clearly require consideration of a survivor’s broader vulnerability to re-trafficking, particularly where

¹⁶ [R \(ARW\) v Secretary of State for the Home Department 2025](#)

removal from support returns them to the very environments in which they are

FI experienced criminal exploitation, was entered into the NRM and received a positive reasonable grounds decision. Due to the drug related crimes FI was forced to commit as part of the exploitation, he received a public order disqualification.

FI's exploiters found him and tried to re-exploit him. When FI refused to comply, the exploiters tried to kill him. FI survived but has life changing injuries.

Case study from the Modern Slavery & Exploitation. Names and locations changed to protect anonymity.

previously exploited.

6.4. POD may be unlawful where it prevents a law enforcement investigation. ECAT Article 13(3) does not absolve the state of duties to investigate MSHT. Research conducted by Unseen suggests that law enforcement may halt investigations where a survivor is disqualified under POD¹⁷. This may be due to charging decisions issued by CPS where a disqualified survivor is unlikely to act as a witness.

6.5. POD contravenes ECAT Article 26 ('non punishment') where survivors of criminal exploitation are disqualified. Like other frontline organisations, Unseen is aware of cases in which the section 45 defence to protect survivors from prosecution for crimes they were forced to commit was not applied¹⁸.

6.6. POD incentivises traffickers to target people with criminal convictions and to criminalise those they exploit. The vulnerabilities that increase the risk of trafficking are disproportionately experienced by people who are incarcerated, making them vulnerable to exploitation before, during and after detention. Criminal exploitation also commonly involves coercing or grooming victims into offending, which traffickers can then use to control them and deter them from seeking help:

...after I got away from my ex employer he was trying a lot of schemes to get me to stop the investigation...and then he set me up, and so I was arrested by the police...when I told the police that this is my situation...they didn't believe me¹⁹.

6.7. Regarding Clause 38 (3) 'Bad Faith Disqualifications', see UK obligations incompatibility with Clause 36 and late disclosure.

¹⁷ [Restoring Belief, Reducing Criminality: the impact of modern slavery provisions in recent immigration legislation](#), Unseen UK, p37

¹⁸ [House of Lords. Modern Slavery Act 2015 Committee Corrected oral evidence: Modern Slavery Act 2015,](#) para.147.

¹⁹ Unseen service user

7. Clause 39: Removal of duty to grant leave to remain to assist recovery

- 7.1. Clause 39 removes the requirement for the SoS to grant a temporary residency license to survivors for the purpose of assisting them in their recovery from any physical or psychological harm arising from the relevant exploitation.
- 7.2. **The omission of permission to stay to aid a survivor in their recovery is incompatible with ECAT Article 14 (1a)**, which requires the state to issue a renewable residency permit 'owing to their personal situation'.
- 7.3. A survivor's personal situation may include required access to support to aid their recovery or a heightened risk of re-trafficking owing to their experience of trafficking. Unseen has worked with many survivors who have been denied ongoing leave to remain despite acute risk of harm. Support aiding recovery is a preventative measure and the prevention of re-trafficking is a duty held under ECHR Article 4.

...[The Home Office] say to you "why not you just, like, put a report against the Taliban?". My dear, all the Europeans, all the UN, all the American is surrender in front of them... You know, even the police is not going to do anything.²⁰

- 7.4. **The current arrangements under Leave to Remain as a Victim of Trafficking (VTS) do not fulfil the UK's obligations under ECAT Article 14 (1a).** The requirement set out in the Nationality & Borders Act 2022 to 'assist the person in their recovery from any physical or psychological harm arising from the relevant exploitation²¹' is insufficient to fulfil ECAT Article 14 (1a). Support to prevent re-trafficking must consider vulnerabilities that enabled exploitation to occur as well as those that result from an exploitative experience. Survivors afforded VTS are often provided with only a three-month residence permit which does not allow a person to secure the independent housing or employment required to build resilience.

8. Clause 43: Assistance and support for potential victims

- 8.1. Clause 43 inserts an exception to the duty of the SoS to provide support to survivors where a survivor has exhibited adverse conduct.
- 8.2. **Clause 43 (5) is incompatible with ECAT Article 12 (1&2) where it allows for the Secretary of State to disapply assistance and support from a survivor.** The withdrawal of support under this provision may also lead to survivors becoming destitute and survivors being at risk of re-trafficking, in contravention of Article 4 ECHR.
- 8.3. **This provision may prevent the most vulnerable survivors from accessing assistance and support.** Clause 43(5) allows for assistance and support to be withdrawn where it

²⁰ Unseen service user

²¹ Nationality and Borders Act 2022, clause 65 (2a).

would be available but for a contravention made by the survivor. A vulnerability that made someone attractive to traffickers such as mental health conditions, drug dependency, anti-social behavioural challenges may in turn lead to behaviours that disqualify them from support under this provision. ECAT Article 12 (7) requires that 'each Party shall ensure that services are provided...taking due account of the special needs of persons in a vulnerable position'²².

- 8.4. **It is not clear how a decision maker would distinguish between disruptive behaviours linked to exploitation or otherwise**, given the complexity of survivor experience. Clause 43 (5) inserts 5ZA (b) which allows the SoS to assess whether any 'contravention, failure or adverse conduct is not properly attributable to any physical, psychological or social harm which arose from the conduct which resulted in the positive reasonable grounds decision'. However, intersection between survivor vulnerability and behaviours resulting from exploitation can be reflexive and challenging to identify cause and effect.

9. **Clauses 44-49: modern slavery statements**

9.1. **Business regulation is essential to tackling MSHT and fulfilling the UK's obligations.**

Clauses 44–49 strengthen business reporting requirements but fall short of recommended requirements²³, and the UK should go further by introducing liability for businesses and public bodies that fail to prevent MSHT and other serious human rights harms. As significant purchasers, public authorities should also publish steps taken to reduce exploitation risks in their operations and supply chains.

- 9.2. **Business supports Mandatory Human Rights Due Diligence legislation in the UK.** MSHT costs the UK an estimated £60bn annually. The UK imports approximately £20 billion of goods annually at risk of being produced using forced labour. As the EU and other major economies, including the US, prohibit forced-labour goods from entering their markets, the UK risks becoming a destination for diverted goods unless it adopts comparable measures, placing responsible British businesses at a competitive disadvantage.

- 9.3. **UK business currently faces a complex and fragmented regulatory landscape that can constrain growth.** The piecemeal requirements introduced by the Health and Care Act 2022 and the Great British Energy Act 2025 are welcome recognition of the responsibility business holds to mitigate harm arising from their activities. However, differing requirements across sectors can be costly and create unnecessary complexity. Many multinational businesses are also already subject to regulatory frameworks in other major economies.

²² [Council of Europe Convention on Action against Trafficking in Human Beings](#)

²³ See part 3 of [Strengthening the UK's Forced Labour and Human Rights Legislative Framework](#), IASC, Omnia LLP and Unseen UK, 2025.

10. Recommendation

10.1. As set out above, Unseen's primary position is that MSHT should not be addressed through immigration legislation, and that Clauses 11, 36 – 39 and 43 should not proceed in their current form. If the Committee does not accept this recommendation, Unseen recommends that the amendments below be made as a minimum. These amendments seek to ensure that survivors of MSHT are not unfairly denied protection or support as a result of their trafficking experience, and the Bill operates consistently with the UK's international obligations, including under ECAT and ECHR. They also seek to strengthen the legislative framework for preventing MSHT in the operations and supply chains of businesses and public bodies. The Bill should be amended to:

- 10.1.1. Reverse the burden created by Clause 36, such that late disclosure, inconsistencies in account, and similarities between accounts are presumed to arise from the effects of MSHT or professional failings, unless the competent authority demonstrates substantive evidence to the contrary.
- 10.1.2. Insert an exhaustive definition of 'late disclosure' into Clause 36. (To the extent that our recommendation above is not adopted, the 'good reasons' criteria must be expressly addressed in the Bill, or for related guidance to require affirmative parliamentary approval).
- 10.1.3. Guarantee survivors and potential victims of MSHT access to publicly funded, specialist legal advice before any credibility assessment, reasonable grounds decision, or disqualification determination is made in their case.
- 10.1.4. Omit Clause 37 to ensure UK compliance with ECAT Article 13(1).
- 10.1.5. Omit Clause 38 3(a) to ensure UK compliant with ECAT Article 12.
- 10.1.6. Require the SoS, before disqualification, to conduct an individualised and evidence-based assessment of any threat the person poses to public order, having regard to all circumstances.
- 10.1.7. Require the SoS, before disqualification, to conduct an individualised and evidence-based assessment of a person's risk of re-trafficking, having regard to all circumstances.
- 10.1.8. Insert strengthened MSHT reporting requirements for businesses and public bodies in line with part 3 of the Independent Anti-Slavery Commissioner's model Mandatory Human Rights Due Diligence legislation²⁴.
- 10.1.9. In addition, the Government should bring forward separate legislation introducing Mandatory Human Rights Due Diligence requirements for businesses and public bodies

²⁴ [*Strengthening the UK's Forced Labour and Human Rights Legislative Framework*](#), IASC, Omnia LLP and Unseen UK, 2025

in line with model legislation proposed by Unseen and the Independent Anti-Slavery Commissioner, which benefited from legal support provided by Omnia Strategy LLP²⁵.

August 2026

²⁵ [*Strengthening the UK's Forced Labour and Human Rights Legislative Framework*](#), IASC, Omnia LLP and Unseen UK, 2025