The Modern Slavery Act

The Modern Slavery Act 2015 has recently been the focus of an independent government review.

Oliver Scutt
Senior Associate

T: 020 7551 7689
o.scutt@bateswells.co.uk

Oliver is a senior associate in the Charity and Social Enterprise department and has previously worked as internal legal counsel for a private equity fund and an investment management firm. He has experience in structured and project finance, venture capital, private equity as well as general corporate/commercial.

Yvett Talas Paralegal

T: 020 7551 7924
y.talas@bateswells.co.uk

Yvett has experience in conducting legal research in various areas of law, interviewing clients, drafting advice, and providing legal and administrative support to fee earners.

Oliver Scutt and **Yvett Talas** interviewed **Andrew Wallis OBE** (Chief Executive of leading anti-slavery charity Unseen) and **Dr Anjali Mazumder** (AI and Justice and Human Rights Theme Lead at The Alan Turing Institute), to find out what impact the Modern Slavery Act 2015 (the Act) has had to date and the key issues that require urgent attention.

Can you provide a brief overview of the work your organisations do in relation to modern slavery?

Andrew: Unseen focuses on five main areas. We work with survivors of modern slavery found in the UK providing help with accommodation, support, and reintegration; with frontline agencies; and with businesses to improve transparency in supply chains. We also run the UK's modern slavery helpline and work with the government on various anti-slavery initiatives.

Anjali: The Alan Turing Institute (the Turing) recognises modern slavery as a human rights and socio-economic issue, and a research priority. The Turing's focus is to empower government and frontline agencies and enable private sector action by developing and applying data science/AI methods to safeguard vulnerable people, disrupt exploitation and build resilient institutions through multi-sector partnerships.

The Turing and Unseen are working in collaboration on various modern slavery issues, particularly opportunities to enable multisector data sharing and exploring typology specific challenges such as exploring sexual exploitation. We are also working in partnership with the Bingham Centre for the Rule of Law which leads the new Policy and Evidence Centre for Modern Slavery and Human Rights.

How effective would you say the Act has been to date?

Andrew: The Act has had a huge impact, not least because primary legislation has enabled different anti-slavery stakeholders to focus and deliver their work more effectively. However, the Act must evolve as circumstances change.

Anjali: The Act raised awareness of the issues of human rights violations across a range of typologies and highlighted that this is not only a problem for developing countries. Now it is time to work on transparency and enforceability – there is currently insufficient evidence gathering, and thus few prosecutions.

Did the Act have a significant impact on businesses?

Andrew: It had an impact on businesses and on those who are pushing for more action to ensure consistent good practice. Out of approximately 17,000 companies around 3,700 still have not complied with the legislation. The government must play its part by enforcing the provisions within the Act to ensure transparency reporting is comprehensive. Unseen has worked with a data analytics company to enable 'TISC Report', which is the world's largest open data platform committed to ending corruption, supply chain labour abuses and modern slavery.

Anjali: It certainly led to an increased number of businesses making modern slavery statements. However, the quality and effectiveness of these statements is unclear, which may be due to poor transparency and disclosure from other businesses regarding possible violations.

What role can artificial intelligence (AI) play in tackling modern slavery?

Andrew: Data has a huge role to play in combatting slavery and we need to look at how it can drive both information and practice. Much existing policy practice

and funding is based on anecdotal evidence, so we need to get better at gathering, sharing and analysing data to enhance our understanding of the narratives around modern slavery and drive the quality of our interventions.

The helpline enables us to gather anonymised data and bring bigger data sets together. We are looking for the connections/gaps between an individual's exploitation and their access to key services, which may represent a slavery threat rather than an opportunity. For example, in Uganda the university population is particularly vulnerable due to the need to access the job market.

Anjali: AI gives us the opportunity to interrogate existing data and identify gaps both in the data and in our knowledge. AI also offers the opportunity to make use of multiple and typically non-traditional administrative data sources. Often NGOs and government agencies do not have the resources to harness the data and consider the legal, ethical, social and computational challenges, so we hope that the Turing and AI can start to fill this gap.

What has been the impact of the recent government review of the Act?

Andrew: There are three key takeaways from the review. First, we need to provide better protection and care support for victims. Second, the role of the independent Anti-Slavery Commissioner (ASC) needs to be clarified and its responsibilities better delineated from those of the government – this will raise key questions around the budget and overall capacity of the ASC's role. Third, transparency in supply chains must improve. We can upgrade legislation, but the key issue is not legislative change but the successful policy implementation of any proposed changes.

Anjali: We are waiting to see what the ASC will prioritise and how the government's new Policy and Evidence Centre for Modern Slavery and Human Rights can support that work. The latter is an indication that the government sees it as a priority issue.

What are the biggest challenges that lie ahead and the key issues that require attention?

Andrew: We don't yet know where the baseline is in the UK, Europe and globally. We need to figure out how we can assess something that is fundamentally hidden, look at what the data tells us and the preventive work required – it is about both corporate and policy understanding. Right now, it seems like all actions are reactive, so we need to get to a place in the UK where these practices are socially unacceptable – and we are nowhere near that level.

Anjali: Modern slavery is a vast and complex human rights challenge. It includes those being sexually exploited online, forced labour at sea and on land in both rural and urban areas. Different organisations are collecting data in different ways and are often unable to draw upon each other's data. Data is sitting in siloes and we do not know who has the different pieces of information. We need to enable multisector data sharing and tools to best harness the data in a way that respects legal, ethical and social considerations. This is a priority and a real challenge.

What are the key priorities going forward?

Andrew: First, I would change the way we gather and analyse data and then provide proportionate and strategic funding to tackle the problem. The reported annual costs to the UK economy are between £3.3 billion–£4.3 billion, based on the government's figure of 10–13,000 victims at any one time. Experts believe that the real figure could be 10 times this, so potentially the impact on the UK is between £30 billion–£40 billion per annum. We need to look at how much and how we are spending. We also need to make sure that resources reach all parts of the world, recognising that, while it is much more expensive to tackle the issue in the developed world, the majority of funding is being directed to the developing world.

Modern slavery has woven itself into the fabric of global society. Big issues such as polity, economic disparity, education and climate change must also be addressed, as they will have the biggest impact on whether an individual will be trafficked.

Anjali: I am often asked whether AI is the silver bullet. I don't think there is one. There are several approaches and each of them require trust, collaboration and partnership. I do think that data and AI methods can open opportunities for better understanding and disrupting this human rights abuse.

Dr Anjali Mazumder

Andrew Wallis OBE