

UK ANTI-SLAVERY COMMISSIONER CRITICISES BUSINESS RESPONSE TO MODERN SLAVERY

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Legal Briefings - By **Oliver Elgie**

The UK Anti-Slavery Commissioner has [criticised](#) the response by some businesses to the UK Modern Slavery Act's reporting obligation, suggesting that "patchy" compliance demonstrates a failure by some businesses to take human rights abuses seriously. Although the Commissioner is due to [step down this summer](#), this statement is a reminder the Commissioner's [role in relation to engaging with the private sector](#) to drive better practice and the importance of good reporting as a means of demonstrating good practice.

The Commissioner's statement comes after the Business and Human Rights Resource Centre (the "**BHRRC**") published its [second review](#) of FTSE100 Modern Slavery Statements. In January 2018, [the Commissioner wrote to 25 of the companies](#) whose statements the BHRRC considered not to be compliant. The Commissioner reports that, although positive responses were received from a number of those businesses, no response at all was received from six companies.

Failure to comply with section 54 not only demonstrates a lack of due diligence with regard to business regulation but also a failure to take this abuse of human beings seriously" - Kevin Hyland OBE, UK Anti-Slavery Commissioner

In response, the Commissioner has now written (in partnership with asset management firms that have total assets under management of £817 billion) to those six FTSE100 companies and asked them how they are taking action to ensure that their businesses are free from modern slavery.

Much of the Commissioner's statement relates to formal compliance and explains how some companies have amended their statement to ensure compliance. However, the statement also goes further as the Commissioner considers that "*failure to comply with section 54 not only demonstrates a lack of due diligence with regard to business regulation but also a failure to take this abuse of human beings seriously*".

To meet its responsibility under the UN Guiding Principles to respect human rights in relation to modern slavery, a business should take considered and context-appropriate steps to identify and respond to the risks of modern slavery in its business and supply chain. The effectiveness of those steps should be measured and the results reflected in improved practice. All of these steps should then be set out each year in the business' annual Modern Slavery Statement.

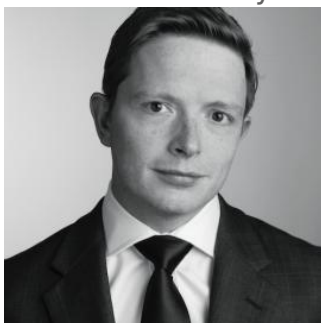
If a business is taking robust steps, it should be well placed to publish a high quality Modern Slavery Statement. By contrast, the Commissioner implies that, if a business is not even able to comply with the three basic requirements of section 54, this might demonstrate a lack of rigour (or even a lack of proper thought) behind the reporting.

Although the Commissioner is due to [step down this summer](#), there is no indication that private sector engagement won't remain one of the [five priorities](#) of the role. The Commissioner's successor will likely continue (or may even increase) the focus on the role of business and the quality of the reporting in combatting modern slavery. That being the case, businesses should continue to strive for better quality reporting on these issues. The best way to achieve good quality reporting is to start with robust and considered steps.

[Business and Human Rights hub](#)

KEY CONTACTS

If you have any questions, or would like to know how this might affect your business, phone, or email these key contacts.



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