Legal duties to identify victims of trafficking

No One Above, September 2026

Met trafficking victim identification incompatible with legal obligations

It is unclear why all Fayed-linked cases were not referred to the NRM from the commencement of police investigations, irrespective of where or when the exploitation occurred. The force is obliged by law to refer any potential victims of modern slavery to the NRM.

All cases involve the same organisational apparatus of exploitation (medicals, recruitment paths, isolation, silencing). Furthermore, the Home Office has confirmed trafficking in all known Fayed-linked NRM referrals made via Unseen UK – including cases involving trafficking confined to the Harrods building.

NOA asked the Met for clarification of the criteria it used for NRM referrals in May 2026 but did not receive a response.

Trafficking must be identified whenever it occurred – including historical cases

The Modern Slavery Act of 2015 (MSA) is clear: police duties to identify victims and investigate trafficking apply in any potential cases of trafficking, regardless of when the offending occurred.

> "From 1 November 2015, specified public authorities are required to notify the Home Office about any potential victims of modern slavery they encounter in England and Wales..."

Regulatory guidance clarifies that duty to identify victims applies irrespective of whether the trafficking occurred when the MSA was in effect:

> "human trafficking" means— (a) conduct which constitutes an offence under section 2 of the Act, or would constitute an offence under that section if the person responsible for the conduct were a UK national, or (b) conduct which would have been within paragraph (a) if section 2 had been in force when the conduct occurred;

Trafficking must be identified wherever it occurred – including within Harrods

On September 16, 2026, the Met announced to survivors that it had begun to refer victims who were moved within Harrods to the NRM as suspected victims of trafficking.

> "The team is also continuing its work in relation to National Referral Mechanism (NRM) referrals. Following consultation with the Home Office, we have expanded the eligibility criteria for survivors we believe may qualify for referral. This now includes not only those who were trafficked abroad or to Park Lane, but also individuals who were moved solely within Harrods prior to being sexually assaulted.
>
> This remains a substantial and complex area of work, and we are grateful to those who have engaged with us and responded to requests for consent to submit their details to the Home Office. Following feedback received through discussions with Operation Cornpoppy, the Home Office is currently reviewing and redesigning its guidance documentation to improve clarity and accessibility for survivors."

As recently as August, the Met did not consider Harrods cases to be potential cases of trafficking. The Met responded to survivors' questions on 26 August 2026, setting out the force's criteria for NRM referrals as follows:

> "OC carried out a review of Survivors' accounts earlier this year for indicators of trafficking and identified 70 cases which could be seen as trafficking. This includes those who went from Harrods to Park Lane or who were taken out of the country."
>
> "The reason why only some of the Survivors in touch with the MPS have been identified as trafficked is because some were sexually assaulted but not moved. For example, those who were assaulted in the shop or offices. These individuals do not therefore meet the legal definition."

Timeline of Met U-turns on NRM referrals

Sep 16, 2026 – NRM REFERRALS REQUIRED IN ALL CASES IRRESPECTIVE OF LOCATION ✅

Met Cornpoppy update to survivors

> "Following consultation with the Home Office, we have expanded the eligibility criteria for survivors we believe may qualify for referral. This now includes not only those who were trafficked abroad or to Park Lane, but also individuals who were moved solely within Harrods prior to being sexually assaulted."

Aug 26, 2026 – NRM REFERRALS NOT REQUIRED IN SOME CASES BASED ON LOCATION ❌

APPG update to survivors on MP meeting with Met

> "OC carried out a review of Survivors' accounts earlier this year for indicators of trafficking and identified 70 cases which could be seen as trafficking. This includes those who went from Harrods to Park Lane or who were taken out of the country."
>
> "The reason why only some of the Survivors in touch with the MPS have been identified as trafficked is because some were sexually assaulted but not moved. For example, those who were assaulted in the shop or offices. These individuals do not therefore meet the legal definition."

Aug 24, 2026 – NRM REFERRALS NOT REQUIRED IN ALL CASES ❌

Met Cornpoppy update to survivors

> "Where there are indications that an individual may have been trafficked, and where they consent to us doing so, we will make referrals through the National Referral Mechanism so that they can access specialist support and consideration by the Home Office."

Aug 17, 2026 – NRM REFERRALS REQUIRED IN ALL CASES ✅

Home Office to the Independent

> "It is understood the Met believes there is no automatic requirement for them to submit a referral for offences that occurred prior to the implementation of the NRM in April 2009 and the Modern Slavery Act 2015, but that referrals can be submitted. However, the Home Office views the historical nature of the alleged exploitation as irrelevant for notification and referral purposes. It

is only if these offences were reported to the police prior to the aforementioned dates of 2009 and 2015 that there is no legal duty to refer."

Aug 17, 2026 – NRM REFERRALS REQUIRED IN ALL CASES ✅

Independent Anti-Slavery Commissioner [IASC] to the Independent

"Victims of sexual abuse and human trafficking have endured horrific exploitation at the hands of their abusers. The impact can be profound and long lasting, affecting every aspect of a person's life for years to come. These victims should be offered support at any stage in their recovery journey. Statutory first responder organisations should refer these victims to the Government's National Referral Mechanism, which is designed to provide care and identify them as victims of modern slavery and trafficking. We must do everything in our power to provide protections for victims of exploitation and hold the perpetrators of this crime to account."

Aug 11, 2026 – NRM REFERRALS NOT REQUIRED IN ALL CASES ❌

Met Cornpoppy update to survivors

"Work continues in relation to potential National Referral Mechanism referrals. The investigation team is progressing this work and will continue to make contact where appropriate. If you believe this may apply to you and you have not yet heard from the team, please get in touch."

Jul 11, 2026 – NRM REFERRALS NOT REQUIRED IN HISTORICAL CASES ❌

Met Cornpoppy update to survivors

"As outlined previously, human trafficking offences have always formed part of the investigation within Operation Cornpoppy. However, today's legislation prevents criminal law from being applied retrospectively. Despite this, the suspects interviewed earlier this year were questioned in relation to human trafficking offences, and we continue to review survivor accounts, including assessing suitability for referral through the National Referral Mechanism.

In line with Home Office guidance, although the National Referral Mechanism was introduced in April 2009, referrals can be submitted where historic human trafficking is identified, where there are indicators of trafficking or modern slavery, and where the focus is on safeguarding or victim recognition. There is no upper age limit on historic exploitation, including incidents that may pre-date Modern Slavery Statutory Guidance. There is no automatic requirement for first responders, including police, to submit a referral - but referrals are encouraged where modern slavery indicators are present, using professional judgement and based on the evidence available, regardless of how long ago the incidents may have occurred. The investigation team are currently

working to review all cases for their eligibility for referral, and you will be notified if your case is selected. You maintain the right to opt out of this process."

Jun 30, 2026 – NRM REFERRALS NOT REQUIRED IN HISTORICAL CASES ❌

Cornpoppy letter to NOA

"The senior investigating officer's overseeing the investigation since 2024 have always ensured that each case being investigated is done so through the lens of human trafficking, and where legislation allows, these cases will be progressed."

"There is no automatic, or retrospective requirement for the Met to submit a NRM referral to the Home Office for offences that occurred prior to 2010. The Home Office, who are the single competent authority encourage first responders to make referrals when there are modern slavery indicators present, regardless of how long ago these incidents may have occurred. The timing of the offence would be taken into account when the Competent Authority makes the victim status decisions."

"In January 2026 the newly appointed senior investigating officer applied this against the investigative material collected by the MPS throughout 2024/25 and submitted NRM's for victims that met the guidance."

Note: per Jess Phillips MP's letter to the APPG, only two referrals had been made by February 2026. These were two survivor-initiated referrals via Unseen.

June 27, 2026 – NRM REFERRALS REQUIRED IN HISTORICAL CASES ✅

Independent Anti-Slavery Commissioner [IASC] to the Observer

"The Independent Anti-Slavery Commissioner told The Observer that the relevant information regarding a trafficking referral was when a potential victim came forward, not when the offences took place."

Jun 11, 2026 – NRM REFERRALS NOT REQUIRED IN HISTORICAL CASES ❌

Cornpoppy update responding to survivors' questions

"Why weren't NRM referrals completed at the time of reports from 2018 onwards?

At that time, the primary focus was on investigating serious sexual offences. While trafficking was always considered, and relevant international enquiries were pursued, the applicable trafficking legislation did not cover the period of offending under investigation and cannot be applied retrospectively.

That position remains unchanged. However, we are continuing to investigate the case through the lens of human trafficking, ensuring all available avenues under current legislation are fully explored."

It is entirely your choice whether to consent to a referral. If you do not consent, we may still submit a referral under our Duty to Notify obligations; however, your personal details will not be shared, and you will not be contacted."

Human trafficking has always been at the heart of this investigation."

Jun 3, 2026 – NRM REFERRALS NOT REQUIRED IN HISTORICAL CASES ❌

Cornpoppy letter to NOA

"There is no automatic requirement to make an NRM referral solely because alleged offending predates 2010 or the Modern Slavery Act 2015. However, where there are indicators of trafficking or modern slavery, referrals can be considered in line with Home Office guidance and safeguarding needs."

May 11, 2026 – NRM REFERRALS ANNOUNCED

Cornpoppy update to survivors

"Another review taking place has been the on-going review of accounts to identify indicators where human trafficking may have taken place. Where an NRM referral had not already been submitted, survivors have been contacted to confirm that we are making this referral on their behalf."

Oct 3, 2025 – NRM REFERRALS REQUIRED IN HISTORICAL CASES ✅

Independent Anti-Slavery Commissioner [IASC] letter to NOA

Do the police have a responsibility to identify trafficking cases, and what does that involve?

Yes. Police are designated First Responder Organisations under the Modern Slavery Act 2015 and have a statutory duty to identify potential victims of trafficking or modern slavery. Where there are indicators of trafficking, officers must complete an NRM (National Referral Mechanism) referral (with consent) or a Duty to Notify (without consent for adults), using the Home Office portal.

Early identification is essential, and referrals should be made promptly, alongside safeguarding measures and the collection of basic evidence.

What are considered sufficient grounds to identify a trafficking case?

The threshold is deliberately low at the identification stage. If there are reasonable grounds to suspect someone may be a victim—based on indicators such as control, exploitation, or deception—police should refer into the NRM. No definitive proof is required at this point.

Do the police have a responsibility to inform individuals that they may have been trafficked?

Police must inform the individual if they are being referred into the NRM, explain what the process involves, and what support they may be entitled to. This is a key part of obtaining informed consent for adults and should be done in a trauma-informed and sensitive manner, as soon as reasonable suspicion arises.

What are police responsibilities when investigating trafficking, particularly in complex or institutional cases?

Police investigations into trafficking must go beyond individual suspects to examine wider networks, recruitment chains, premises, financial activity, and potential institutional complicity. Cases often require coordination with organised crime units, safeguarding teams, and international partners.

Do these responsibilities apply to historic cases reported after the Modern Slavery Act came into force?

Yes. If the exploitation is still having consequences, or if it was ongoing when the Act came into force, the police still have a duty to investigate and safeguard. The duty to notify and referral applies from the point of identification, regardless of when the exploitation took place.