

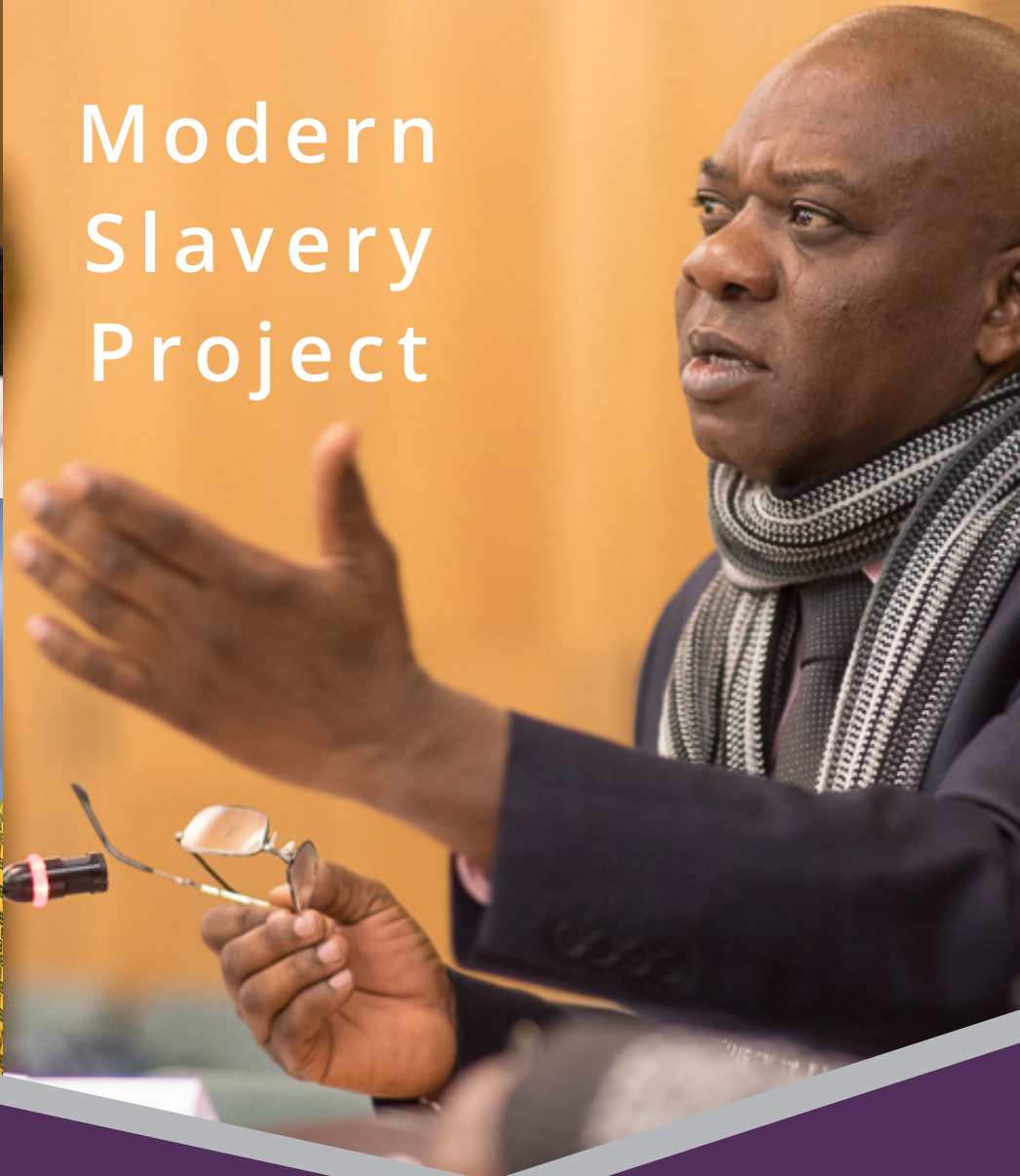


HOUSES OF PARLIAMENT

COMMONWEALTH PARLIAMENTARY ASSOCIATION UK



Modern Slavery Project



Legislative Drafting Seminar on Modern Slavery & Human Trafficking

11-14 December 2017

Final Report

In partnership with:



HM Government



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Executive Summary

Overview

The following report details the aim, objectives and subsequent outcomes of the Legislative Drafting Seminar on Modern Slavery and Human Trafficking, which took place in the UK Houses of Parliament in London between 11-14 December 2017.

The Legislative Drafting Seminar was run as part of CPA UK's Modern Slavery Project, a two-year multilateral project focused on raising awareness and providing expertise to Commonwealth legislatures on tackling the crimes of modern slavery, human trafficking and forced labour.

Programme Activities

The primary aim of the seminar was to support participating Commonwealth parliamentarians, legislative drafters and officials by improving their capacity to draft and/or amend modern slavery, human trafficking and forced labour legislation. This support was provided through a programme which featured:

1. Analyses of real-life case studies and scenarios of modern slavery-related crimes, national responses to them and the consequences thereof, facilitated by world-leading lawyers and subject matter experts;
2. Discussions on the relationship between the effective implementation of the law and the way in which legislation is developed, led experts from civil society and law enforcement;
3. Technical exercises focusing on the drafting of model legal clauses, facilitated with the support of legislative drafters and lawyers;
4. Insights surrounding the importance of benchmarking national legislation against international standards and protocols, provided by advisers from the Office of the United Nations High Commissioner for Human Rights and International Labour Organization, among others;
5. An exchange of knowledge and experience on legislating on modern slavery, human trafficking and forced labour issues between Commonwealth parliamentarians and drafters and their UK counterparts, including discussions on drafting effective legislation; evidence gathering processes; the utilisation of parliamentary tools; cross-party collaboration; and partnerships with civil society and the private sector.

Outcomes & Next Steps

As a result of the seminar, delegates increased their knowledge on how to effectively draft and amend legislation by a collective average of 46.14%. Participating delegates made a series of commitments to tackle modern slavery, human trafficking and forced labour – such as raising awareness in their parliaments and constituencies; developing national strategies; reviewing their legislative frameworks; and adherence to United Nations protocols – which will be monitored by CPA UK's Modern Slavery Project team.

Where legislatures requested further support from CPA UK, individual plans have been agreed. At the time of publication (January 2018) discussions are underway to provide continued support.

Acknowledgements

CPA UK and its partners thank the following organisations and individuals for their support in the development of the Legislative Drafting Seminar on Modern Slavery and Human Trafficking (in alphabetical order):

- Beate Andrees, Chief, Fundamental Principles and Rights Branch, International Labour Organization (ILO)
- Debbie Ariyo OBE, Director, Africans Unite Against Child Abuse (AFRUCA)
- Victoria Atkins MP, UK Parliamentary Under-Secretary of State for Vulnerability, Safeguarding and Countering Extremism
- Debbie Beadle, Head of Youth Development Programmes, Every Child Protected Against Trafficking UK (ECPAT UK)
- Urmila Bhoola, United Nations Special Rapporteur on Contemporary Forms of Slavery
- Eleanor Bird Lenawarungu MBA, BA, FRSA; Senior Technical Advisor; Gender, Peace and Security; Retired Police Officer
- Pam Bowen CBE, Head of Trafficking Policy, Crown Prosecution Service
- The Rt Hon. the Baroness Butler-Sloss GBE, UK Parliament
- Parosha Chandran, Barrister and UK Anti-Slavery Lawyer
- Vernon Coaker MP, UK Parliament
- Louise Davies, UK Office of the Parliamentary Counsel
- Kate Emms, Parliamentary Adviser to the Leader of the House, UK Government
- Rt Hon. Frank Field DL MP, UK Parliament
- Elizabeth Gardiner, First Parliamentary Counsel, UK Office of the Parliamentary Counsel
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- R. Evon Idahosa, UK Barrister, US Lawyer and Founder & Executive Director; Pathfinders Justice Initiative
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- Liam Laurence Smyth, Clerk of Legislation, UK Parliament
- Justin Leslie, UK Office of the Parliamentary Counsel
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- Helen Xanthaki, International Postgraduate Laws Programme, University of London
- Professor Baroness Young of Hornsey OBE, UK Parliament

Project Overview

The Modern Slavery Project is a two-year multilateral project providing practical advice and support to Commonwealth legislatures in the pursuit of combating modern slavery. Jointly funded by the Home Office's International Modern Slavery Fund and by CPA UK, the project aims to encourage and facilitate a greater understanding of the national and international benefits of introducing modern slavery legislation through highlighting the value and subsequent lessons learned from the passing of the UK Modern Slavery Act 2015.

CPA UK's Legislative Drafting Seminar was designed to build on the work of the regional workshops that were delivered in April and July 2017. It was an opportunity to provide parliamentarians and legislative drafters with practical advice and support in relation to the development, drafting and amending of modern slavery, human trafficking and forced labour legislation. It was also an opportunity for delegates to exchange experiences and develop collaborative approaches in tackling these issues.

The Legislative Drafting Seminar took place in the Houses of Parliament, London from 11-14 December 2017. Parliamentarians who had previously attended the Asia-Pacific and Africa Regional Workshops were invited to participate, as well as legislative drafters and relevant legal officials.



Seminar Overview

The Legislative Drafting Seminar was attended by parliamentarians and officials from Ghana, Kenya, Malawi, Namibia, Nigeria, Pakistan and Uganda.

The highly technical programme challenged delegates with a mixture of group and break-out exercises which provided valuable insights into holistic policymaking, updating existing legislation efficiently and effective implementation of the law. In order to encourage the optimal exchange of knowledge, key facilitators of these sessions included internationally-renowned subject and legal experts; intergovernmental organisations; national and international civil society organisations; UK parliamentarians; and the delegates themselves.

Over the course of four days, delegates had the opportunity to discuss and work on the following issues:

- Developing modern slavery, human trafficking and forced labour National Action Plans (NAPs) and the benefits of their alignment to international standards;
- Devising holistic, informed policies on sex trafficking, forced labour, slavery servitude and child trafficking;
- Transforming policies into legal clauses and their incorporation into existing legislation;
- The effective implementation of laws and the consideration of this throughout the policymaking and drafting processes;
- Promoting collaboration with civil society, the judiciary and law enforcement to effectively and holistically tackle modern slavery, human trafficking and forced labour.

Alongside the main programme the seminar also included separate, private consultation meetings between delegates and legal experts, allowing for the provision of more tailored advice on legislatures' modern slavery, human trafficking and forced labour legislation. The seminar also aimed to facilitate long-term engagement with partner parliaments and commitments from individual parliamentarians to champion these issues in their own jurisdictions.





Seminar Aim & Objectives

Aim

The aim of the Legislative Drafting Seminar was to provide parliamentarians and legislative drafters with practical advice and support in relation to developing modern slavery/human trafficking legislation.

Objectives

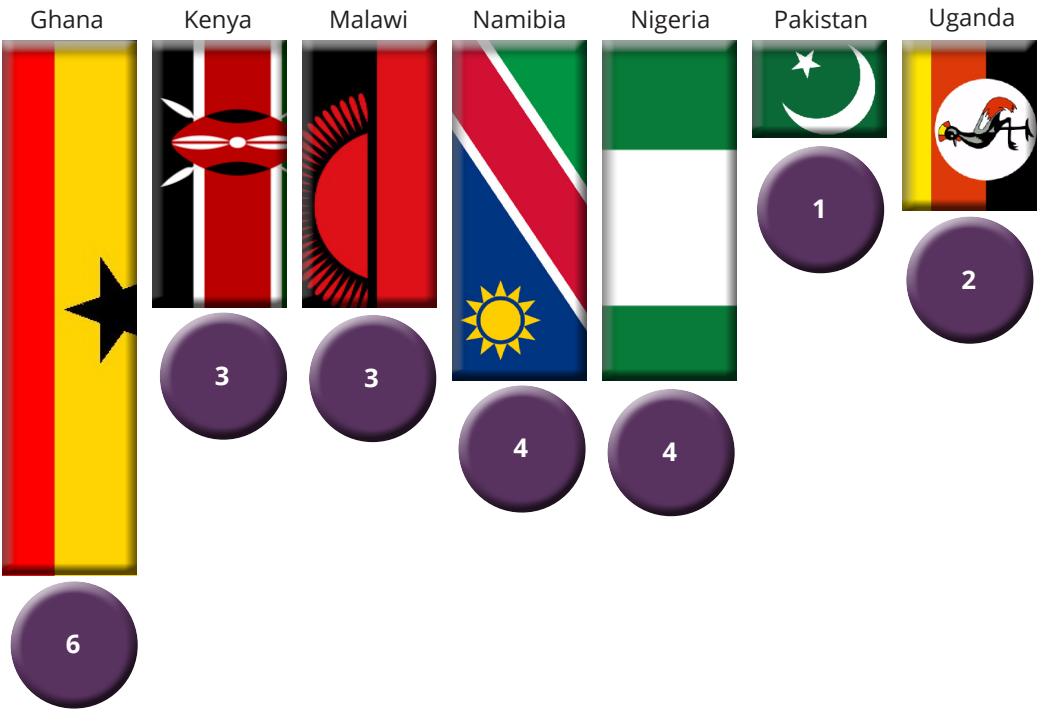
Using knowledge and experience from legislative experts with experience across relevant Commonwealth countries and beyond, the objectives of the Legislative Drafting Seminar were:

- Objective 1. To provide tailored, technical support in drafting new and/or amending existing modern slavery/human trafficking legislation.
- Objective 2. To facilitate discussions between delegates on collaborative, regional approaches to drafting effective modern slavery/human trafficking laws.
- Objective 3. To provide delegates with the knowledge and experience from key stakeholders on the effective drafting of modern slavery/human trafficking legislation.
- Objective 4. To provide delegates with perspective on drafting modern slavery/human trafficking legislation in the context of lessons learned from the passing of the UK Modern Slavery Act 2015.

Country List

Ghana
Kenya
Malawi
Namibia
Nigeria
Pakistan
Uganda

Participant Country Breakdown



Programme Summary*

The aim of the seminar was to provide parliamentarians and legislative drafters with practical insight and expertise when drafting new and/or amending their existing modern slavery, human trafficking and/or forced labour legislation. Delegates were also encouraged to talk to one another about collaborative approaches to tackling the issue regionally and internationally.

Day One Monday 11 December 2017

Day One of the seminar provided an introduction to the processes and attitudes behind legislating effectively on the issues of modern slavery, human trafficking and forced labour.

Modern Slavery, Human Trafficking and Forced Labour as Human Rights Issues

The Legislative Drafting Seminar began with a speech from a UK parliamentarian. They stressed the important role of the Commonwealth as a unique forum, drawing upon historic friendships through which modern slavery and human trafficking could be addressed. In a pre-recorded video message a representative from an intergovernmental organisation emphasised the troubling fact that slavery continued to exist in every country in the world. They encouraged delegates to press their governments to adhere to International Labour Organization (ILO) and other United Nations (UN) protocols and stressed the need for parliamentary leaders on this issue.

Creating Modern Slavery, Human Trafficking and Forced Labour National Action Plans

The next session focused on the creation of national action plans and strategies to combat modern slavery and human trafficking. Speakers emphasised the need to have a common understanding of the terms modern slavery, human trafficking and forced labour; they have separate international definitions that could cause confusion if not properly aligned with terminology in national legislation. Speakers discussed the need to create a strategy using



accurate local and national survey data; setting and regularly reviewing clear milestones; and linking the strategy to regional and international partners. The model that most countries followed were based around the “Four Ps”: Prevention, Protection, Prosecution and Partnerships. Following a case study of the Malawian National Plan of Action Against Trafficking in Persons, it was noted that devising a strategy was only the start of a long process to implement subsequent legislation effectively.

Creating Effective Modern Slavery, Human Trafficking and Forced Labour Legislation

Following the morning sessions, delegates analysed the processes behind the creation of national legislation and exchanged expertise with UK Parliamentarians, Clerks and legal counsel. Participants discussed the need to gather evidence effectively when preparing to legislate on modern slavery, human trafficking and forced labour. Delegates heard from UK parliamentarians and

**As the seminar was held under the Chatham House Rule, this seminar report will not attribute remarks to speakers and delegates.*

officials who had sat on the Evidence Review Panel, Joint Draft Bill Committee and Public Bill Committee of the UK's Modern Slavery Act. The speakers emphasised the need to gather evidence from all corners of the country and across all strata - from the general public to subject experts and civil society organisations - in order to gain the most representative data possible. The difficulty of gathering evidence on these specific issues was also discussed, taking into account modern slavery as a "hidden crime" and the vulnerability of victims. Whilst the roles of government and opposition parliamentarians were examined and compared, the need for cross-party cooperation and collaboration was emphasised by the entire panel.

The following session moved onto the process of actually preparing a modern slavery, human trafficking and/or forced labour bill. For this session, delegates were split into two groups. Group A - which was comprised of parliamentarians - discussed Private Members' Bills (PMBs) as tools for legislative change. Whilst a PMB may not become a law on its own, it is an important awareness-raising device and may push the government to act, as was the case in the UK. Delegates were encouraged to know their existing country legislation and international standards inside-out, and to ask themselves two key questions before putting together a bill: "What do you want the legislation to achieve?" and "How do you achieve support to get the legislation passed?" Group B - which was comprised of legislative drafters

and legal officials - discussed the approach of consolidating all modern slavery-related crimes under one piece of legislation. In the UK's case, doing this led to an increase in public awareness, a change of perception in what constituted "slavery" and made the law easier to implement. Delegates also compared bill processes and the responsibilities of clerks and drafters across Commonwealth jurisdictions.

Lessons Learned from Modern Slavery, Human Trafficking and Forced Labour Legislation

The final session of the day concluded with an informal, "in conversation with" style panel comprised of UK and Commonwealth parliamentarians. Facilitated by a journalist, panellists exchanged their experiences of legislating on these issues with a view to positively informing future laws and international collaboration. The panel discussed the creation of a fund to protect and support victims; the need to approach child and adult victims differently; the challenges behind implementing law in rural areas and with ill-equipped law enforcement; and reducing the risk of such crimes through the reduction of poverty.



Day Two

Tuesday 12 December 2017

Day Two of the seminar focused on devising, drafting and strengthening legislation on sex trafficking. The seminar remained under the Chatham House Rule.

Drafting and Strengthening Legislation: Sex Trafficking

To start the day, the facilitator introduced delegates to a real-life case study of sex trafficking. Upon reading the case study, delegates discussed the factors that led to the victim being trafficked (such as poverty; lack of public awareness; and lack of economic opportunity) and what had prevented the victim from being identified sooner (such as porous borders; and lack of training amongst embassy staff and law enforcement for spotting exploitation). A number of solutions were put forward to prevent such a case from happening again, such as the creation of an anti-human trafficking centre; utilising survivors to raise awareness; and pre-screening suspected victims prior to international travel.

Delegates were provided with a non-governmental organisation's (NGO's) perspective on developing modern slavery and human trafficking legislation.

A prominent UK barrister then provided delegates with a legal perspective on what made such legislation effective. The barrister stressed the need for laws to be succinct and backed up with sufficient training. Finally, legislative drafters from the UK Office of the Parliamentary Counsel (OPC) encouraged delegates to consider the practical ramifications of turning policy into a legal document. They stated that legal analysis must be clearly communicated and analysed, and that the process of challenging a law is incredibly important to ensure its robustness. They emphasised the need for parliamentarians to be open to drafting suggestions since often they are not subject or legal experts.

The morning concluded with a discussion between the facilitator and seminar delegates on ensuring legislation made provisions for providing robust victim protection and support services, with a particular focus on training, rehabilitating and compensating confirmed victims.

Policy and Drafting Challenges

In the afternoon, delegates were split into two groups. The first group, all parliamentarians, discussed some of the challenges they faced in their jurisdictions with regards to modern slavery, human trafficking and forced labour policies. Challenges included funding for anti-slavery measures; little or no consolidation of laws pertaining to modern



slavery, human trafficking and forced labour; and a lack of civic awareness around these issues. Together, Commonwealth and UK parliamentarians explored the utilisation of parliamentary tools such as All-Party Parliamentary Groups and chamber debates; the importance of challenging the government when necessary; working collaboratively across parties and sectors (particularly with civil society organisations); and utilising their leadership to engage more stakeholders with the issue.

The second group, all legislative drafters, clerks and officials, selected a number of the issues raised throughout the morning and used them to start drafting a series of legal clauses. This was an opportunity for the sharing of best practice in creating effective legislation whilst meeting international standards. The exercise also identified the similarities and differences of Commonwealth legislatures in drafting legislation. The group looked at the creation of an independent anti-slavery commissioner position and an anti-trafficking fund, as well as incorporating a mandatory requirement to review legislation on a regular basis.

Day Two of the Legislative Drafting Seminar closed with an opportunity for reflection, during which the legislative drafters and clerks presented their draft legal clauses. The need for a strong working relationship between legislative drafters, clerks and parliamentarians was emphasised in order to create robust and effective legislation.



Day Three

Wednesday 13 December 2017

Day Three followed a similar format to Day Two. The day focused on devising, drafting and strengthening legislation on forced labour, slavery servitude and child trafficking. The seminar remained under the Chatham House Rule.

Drafting and Strengthening Legislation: Forced Labour, Slavery Servitude and Child Trafficking

The first session of the day began with an overview of the legal definitions of slavery, forced labour, servitude and human trafficking as well as key historic cases that were responsible for informing these definitions. Using real-life case studies, the facilitator led the delegates through two scenarios: one relating to slavery servitude and forced labour; and the other relating to child trafficking. They highlighted instances where victims had been improperly convicted (and subsequently had their convictions overturned) or where perpetrators could not be effectively prosecuted due to gaps in national legislation.

Delegates in the opening session also heard from legislative drafters from the UK Office of the



Parliamentary Counsel. They dissected what made a “good” law as well as some of the obstacles to effective legislation, including overly complex policy; the current legislative landscape; lack of clarity over the ownership of legislation; and time limitations. They also highlighted structure, language and layout as important tools for drafters to make legislation more manageable.

A Victim-centred Approach

Next, delegates explored a victim-centred approach to legislation and prosecution. One legal expert emphasised the need to understand the victim and provide sufficient care for them. This is especially the case when the prosecution wants to call upon the victim to give evidence against criminals. An anti-slavery expert then looked at how parliamentarians and officials transform intentions around combating modern slavery and human trafficking into effective and implementable laws. The representative of another non-governmental organisation continued to unpack a victim centred approach to policy. They highlighted some of the recurring lessons that have come out of working with child trafficking victims. These include cultural practices; cross border movement; a lack of data; and an absence of child protection systems, highlighting a number of recommendations as a result.

Country Practices, International Case Law and Drafting Challenges

Delegates split into two groups once again, with one group comprised of parliamentarians and another of legislative drafters and officials.

The parliamentarians continued the conversation about the case studies used during the morning of the programme. Issues raised included improving education and training amongst public and law enforcement officials, especially at major international points of entry. One example focused on the plight of a young girl from a Roma community in London who was arrested repeatedly for theft - but was only asked by the Police about why she was committing this crime after her 100th conviction. Also discussed was the challenge and opportunity of technology and social media. Following the discussions several key conclusions were drawn, such as the need to recognise the right of trafficking victims to be “free”; and that fines in lieu of prison sentences were unacceptable, as they would not effectively discourage further offences.

The second group selected a number of the issues raised throughout the morning and used them to draft a series of legal clauses. Supported by legislative drafters from the UK Office of the Parliamentary Counsel, the group focused specifically on the



creation of provisions to tackle forced labour and human trafficking. These provisions included statutory requirements on employers to register employees in low and unskilled industries; the management of a labour database; training for border officials to spot trafficked children; harsh penalties for appropriate border staff; and the creation of a biometric database and identification check procedure for victims.

The two groups reconvened and the final session of the day was spent discussing the model laws drafted by the legislative drafters, clerks and officials. Of all the outcomes of these technical exercises, the facilitator particularly praised the provision to set up labour inspectors for specific industries, stating that in practice this would be a fantastic system to ensure that labour abuses do not happen.



Day Four

Friday 14 December 2017

The fourth and final day looked at developing effective legislation by understanding and strengthening their enforcement and implementation. The seminar remained under the Chatham House Rule.

Understanding victims

The opening session of the final day explored how to protect and seek justice for victims. Delegates were encouraged to place themselves within the mindset of a victim and examine what makes them vulnerable to exploitation. As slavery takes on many forms - particularly in the modern age with advancements in technology and access to cheap international travel - the means of entrapping victims can be unexpected and difficult to identify without context.

Delegates then explored reparations for victims, in particular the issues of when and how reparations should be considered and implemented. The session covered holistic approaches to victim care, access to compensation and reintegration into society. The important role of business was also raised as a means of not only providing economic opportunity for potential victims but also the implementation of measures to protect workers at an institutional level.

The head of a national charity then spoke about their work pursuing and prosecuting those who abuse children. They highlighted the need to work in close collaboration with immigration officers, social workers and national crime agencies. Speakers also encouraged parliamentarians and legislative drafters to respond to the challenge of human trafficking, forced labour and exploitation through a robust and holistic approach. They highlighted in particular the need to disrupt criminal networks; address the root causes of slavery; and galvanise the engagement of the private sector to effectively tackle the issue.

Protection Orders

In the afternoon, delegates explored the use of protection orders as a means of addressing



situations of danger for modern slavery and human trafficking victims. A legal expert from a non-governmental organisation introduced the Istanbul Convention for Protection Orders as well as some examples of their use.

In the following discussion, issues raised included protecting the identity of victims and restricting perpetrators' access to both victims and victims' families. Delegates also looked at the issue of stereotyping and bias and how that impacts the treatment of victims, such as the beliefs that women are incapable of rape and that men are responsible for "allowing" themselves to become victims of domestic abuse.

Upcoming Activities and Closing

With the seminar coming to a close, delegates heard about some of the upcoming activities relating to CPA UK's Modern Slavery Project. Delegates were introduced to the online portal, a secure member-only platform for Commonwealth parliamentarians and officials to share good practice and exchange ideas with regards to combatting modern slavery and human trafficking. The portal will provide users with relevant news, resources, discussion

boards and opportunities to partake in webinars as a means of promoting communication between parliamentary counterparts. The portal will be launched in the first quarter of 2018.

Delegates were also introduced to the Modern Slavery Project's e-Handbook ahead of its official launch in May 2018. Developed in consultation with - and tailored to - Commonwealth parliamentarians and officials, the e-Handbook will be a user friendly tool with key information on how to effectively legislate against modern slavery, forced labour and human trafficking.

After a final feedback session, a Commonwealth and a UK parliamentarian provided the closing remarks for the seminar. Echoing delegates' renewed commitments to tackling these issues, they emphasised the necessity for coordinated collaboration - internationally across parliaments and nationally across all sectors of society. They encouraged the incorporation of the knowledge provided by the seminar into legislation, in order to ensure its robustness and viability to help those in need.



Final Programme

Day 1 - Monday 11 December

An Introduction to Legislating on Modern Slavery/Human Trafficking

Attlee Suite, Portcullis House

TIME	SESSION
1000-1030	<p>Welcome and Introduction</p> <p>What is the Modern Slavery Project? Why is it important to hold a Legislative Drafting Seminar/where does it fit into the context of the project? Explanation of the programme and role of participants. What are the aim, objectives and desired outcomes?</p>
1030-1100	<p>Session 1 - Legislating on Modern Slavery/Human Trafficking</p> <p>What is modern slavery/human trafficking and how does it manifest itself? Where does modern slavery/human trafficking sit within the overall discourse on human rights? What are the benefits of legislating effectively on modern slavery/human trafficking, both ethically and practically? What roles do parliamentarians, clerks and legislative drafters play in legislating on this heinous crime? What should delegates look out for when legislating on/amending modern slavery/human trafficking. What are the typical pitfalls of legislating on this issue?</p>
1100-1115	<p>Coffee</p>
1115-1245	<p>Session 2 - Creating a Modern Slavery/Human Trafficking National Action Plan</p> <p>Why is it important to create a consolidated national strategy on modern slavery/human trafficking? What constitutes a good strategy? What consultation and scrutiny should be in place and how should parliaments and governments ensure national buy-in to the process? Why is it important to raise awareness amongst the populace and how is this enabled? Who are the key stakeholders? How can international standards be integrated into tailored national action plans and modern slavery/human trafficking legislation? What are the key international standards and benchmarks to consider? How should legislatures consider the legislation/approaches of their regional neighbours?</p>
1245-1345	<p>Lunch</p>

1345-1515	Session 3 - Effective Evidence Gathering	
	<p>How can effective evidence gathering make modern slavery/human trafficking legislation more targeted, representative and effective? When can evidence be taken before and during the legislative process (i.e. during a bill's evidence review, pre-legislative and public bill committee stages)? Procedurally, what are the requirements to effectively manage evidence gathering for a modern slavery/human trafficking law?</p> <p>Evidence gathering process, e.g. Draft Bill and Public Bill Committees. Lessons learned from equivalent UK Committees. The importance of gathering evidence from key stakeholders – how can this change legislation before it potentially even reaches the chamber? What approach should drafters take regarding amending draft legislation as and when evidence is gathered? How can Clerks support the evidence gathering process (i.e. managing draft bill and public bill committees)?</p>	
1515-1530	Coffee	
1530-1700	Session 4 - Preparing a Modern Slavery/Human Trafficking Bill	
	<p>What should be considered when preparing a bill on modern slavery/human trafficking?? How does the approach differ between a Government-led bill and an individual or Private Members' Bill (PMB)? What procedural and/or drafting support can be offered in preparing a modern slavery/human trafficking bill to go through Parliament? What implications does this have in terms of existing modern slavery-related legislation (i.e. repealing/conglomerating laws)?</p>	
	<p>Group A: Parliamentarians Location - Attlee Suite, Portcullis House</p> <p>Cross-departmental consensus/decision on ownership. Conglomerate existing bills or replace them? How important is cross-party support? Considering international standards. PMBs as a vehicle for legislative change on modern slavery. How can you draft an effective PMB on modern slavery? How can it initiate discussion and cooperation with Government? What can make it realistic but "passable"?</p>	<p>Group B: Legislative Drafters, Clerks & Officials Location - Room U, Portcullis House</p> <p>Difference between PMB and Government bill help. Role of a Bill Manager. What to consider when conglomerating existing laws vs. replacing them. How can Drafters help Parliamentarians effectively draft a bill – whether it is for the Government or an Opposition parliamentarian? How can Clerks effectively guide Parliamentarians through the bill preparation process? What aspects of MSA in particular stand out during this process?</p>
1700-1800	Session 5: Lessons Learned from Modern Slavery/Human Trafficking Legislation	
	<p>This session will consider the lessons that have been learned from passing modern slavery/human trafficking legislation in a number of Commonwealth countries, including the UK. Panellists will draw upon their experiences and discuss the processes behind the passing of these laws. They will speak about the challenges they faced and the successes they fought for, as well as what they would have done differently if given the chance. This panel discussion will be an opportunity for delegates to share their knowledge in a way that will positively inform similar legislation in the future.</p> <p><i>Followed by a networking reception from 18:15 to 19:00 in the CPA Room, Palace of Westminster</i></p>	
1900	END OF DAY 1	

Day 2 - Tuesday 12 December

Technical Sessions

Attlee Suite, Portcullis House

TIME

SESSION

Session 6 - Drafting and Strengthening Legislation: A Scenario on Sex Trafficking

0900-0930

Phase 1 - An Introduction to the Scenario

Delegates will be provided with a detailed introduction to a scenario or individual case study on an issue related to Sex Trafficking. This will be led by the session facilitator and will set the context for the remainder of the day's activities.

0930-1315

Phase 2 - Understanding and Debating the issue

In one group delegates will debate and consider the scenario in several steps, including the reasons behind why the issue came about; why it demands action; what the policy solution(s) should be to resolve the issue; and how the policy solution(s) should be implemented effectively. Following these discussions, delegates will consolidate their ideas and agree on a final policy solution, making sure to take international standards into consideration. Delegates will also meet with key stakeholders – including NGOs working to tackle sex trafficking - who will share their experiences and knowledge of the issue. Legislative drafters from the UK Office of the Parliamentary Counsel will share their experiences on what makes legislation effective in the context of modern slavery/human trafficking, also drawing upon the expertise of the delegates present.

NB: A Tea/Coffee break will take place between 11:15-11:30

1315-1400

Lunch

1400-1600

Phase 3 - Split Technical Sessions

Group A: Parliamentarians

Group B: Legislative Drafters, Clerks & Officials

Location – Attlee Suite, Portcullis House

Location – Room Q, Portcullis House and CPA Room, Palace of Westminster

Policy challenges

Parliamentarians will discuss policy challenges they are facing and the tools/methods they are utilising to overcome them. The discussion will also focus on tools available to raise awareness and gather support internally - to parliament - and externally on the issues of modern slavery and human trafficking.

Aided by a group of facilitators, delegate legislative drafters will take the final policy solution agreed during Phase 2 and use it to draft a set of legal clauses. During this process the drafters will also consider how this legislation should conform to international standards and any implications with regards to its implementation.

1600-1615

Coffee

1615-1700	Phase 4: Report Back and lessons learned throughout the process
	Delegate parliamentarians and legislative drafters will reconvene as one group. The legislative drafters will present their draft legal clauses, which will be discussed and reviewed. All delegates will feed back to the group on key lessons learned throughout the process, sharing their own personal experiences and considering the day's outcomes in preparation for the remainder of the programme.
1700	END OF DAY 2

Day 3 - Wednesday 13 December

Technical Sessions

Attlee Suite, Portcullis House

TIME	SESSION
Session Session 7 - Drafting and Strengthening Legislation: Scenarios on Forced Labour and Child Trafficking	
0900-0930	Phase 1 - Legal Background on Forced Labour, Slavery Servitude and Child Trafficking
0930-1010	<p>Phase 2 - An Introduction to the Scenario</p> <p>Delegates will hear about some recent UK cases involving the criminal prosecution of slavery, servitude, forced labour and the criminal prosecution of Child Trafficking.</p> <p>Delegates will also be provided with a detailed introduction to two scenarios; one on issues related to Slavery, servitude, Forced Labour; the second scenario related to Child Trafficking. This will be led by the session facilitator and will set the context for the remainder of the day' activities.</p>
1010-1030	<p>Phase 3 - What makes legislation effective?</p> <p>Legislative drafters from the UK Office of the Parliamentary Counsel will share their experiences on what makes legislation effective in the context of modern slavery/human trafficking, also drawing upon the expertise of the delegates present.</p>
1030-1045	Coffee
1045-1130	<p>Phase 4 - Discussions with Stakeholders</p> <p>Parliamentarians meet with key stakeholders to discuss how to draft legislation on this issue effectively in the context of its future implementation. This will provide valuable insight into the role of organisations such as CSOs and what Parliamentarians should consider when legislating on this issue; as well as taking to experts who are passionate on these issues and using lessons learned from their own experiences.</p>
1130-1230	<p>Phase 5 - Understanding and debating the issue</p> <p>In one group delegates will debate and consider the scenario in several steps, including the reasons behind why the issue came about; why it demands action; what the policy solution(s) should be to resolve the issue; and how the policy solution(s) should be implemented effectively. Following these discussions, delegates will consolidate their ideas and agree on a final policy solution, also making sure to take international standards into consideration.</p>
1230-1315	Lunch

1315-1515	Phase 6 - Split Technical Sessions	
	Group A: Parliamentarians	Group B: Legislative Drafters, Clerks & Officials
	Location – Attlee Suite, Portcullis House	Location – Room Q, Portcullis House and CPA Room, Palace of Westminster
	Country Practices and International Case Law	
	The facilitator and the audience will take the opportunity to review some of Forced Labour, Slavery and Servitude laws and the Child Trafficking laws for each country and share good practice examples.	Aided by a group of facilitators, delegate legislative drafters will take the final policy solution agreed in the morning and use it to draft a set of legal clauses. During this process the drafters will also consider how this legislation should conform to international standards and any implications with regards to its implementation.
	This session will also include a consideration of United Nations legal guidance on trafficking, including the recent UNODC Case Digest on Evidential Issues in Trafficking in Persons cases (2017).	
1515-1530	Coffee	
1530-1615	Phase 7: Report Back and lessons learned throughout the process	
	Delegate parliamentarians and legislative drafters will reconvene as one group. The legislative drafters will present their draft legal clauses, which will be discussed and reviewed. All delegates will feed back to the group on key lessons learned throughout the process, sharing their own personal experiences and considering the day's outcomes in preparation for the remainder of the programme.	
1615	END OF DAY 3	

Day 4 - Thursday 14 December

Developing Effective Legislation by Understanding and Strengthening Enforcement and Implementation

Attlee Suite, Portcullis House

TIME	SESSION
0900-1015	<p>Session 8 - Effective Remedies and Reparation</p> <p>Under general international laws and specific provisions of treaties, countries must guarantee the right to a prompt, accessible and effective remedy before an independent authority. Basic principles require that victims have access to justice, including through the investigation and prosecution of perpetrators. They should be treated with humanity and respect for their dignity and human rights, and appropriate measures should be taken to ensure victims' safety, physical and psychological well-being and privacy, as well as those of their families.</p> <p>How can we ensure that legislation effectively protect victims of all nationalities and status? What does 'reparation' means and how should it be consider in legislation? What are the five elements to ensure effective 'reparation'?</p>
1015-1130	<p>Session 9 - Judiciary and Investigative Resources</p> <p>There is a need to ensure diversity and skill of resources to support victims throughout the continuum of the judicial and rehabilitation phase. A diverse judiciary, legal profession and police force are extremely important in providing an appropriate and gender-competent service. This is particularly important for the enforcement of protection orders and the investigation, prosecution and punishment of those who are guilty of committing acts of violence. What are the mechanisms that countries should develop to ensure a comprehensive and sustained response to increase the likelihood of successful apprehension, prosecution and conviction of the offender, contribute to the safety and well-being of the victim and prevent secondary victimisation?</p>
1130-1145	Coffee
1145-1300	<p>Session 10 - Children</p> <p>What are the appropriate mechanisms for treating children as victims, protecting them, using the principles of 'Do no harm' and considering how children should give evidence?</p>
1300-1345	Lunch

1345-1445	<p>Session 11 - The use of Protection Orders</p> <p>A variety of protection orders should be available to address situations of danger, whether immediate or longer term, and should be available to protect victims from all forms of violence, using a variety of powers according to the victim's needs.</p> <p>What are the orders and how should there be integrated in the legislation to make it more effective?</p>
1445-1545	<p>Session 12 - Stereotyping and Corroboration Rule</p> <p>A variety of protection orders should be available to address situation of danger, whether immediate or longer term, and should be available to protect victims from all forms of violence, using a variety of powers according to the victim's needs.</p> <p>What are the orders and how should there be integrated in the legislation to make it more effective?</p>
1545-1600	Coffee
1600-1700	<p>Session 13 - Aggravating Circumstances for the Purposes of Sentencing</p> <p>'Modern slavery/human trafficking' is diverse in its nature and extent of impact on the lives of so many. Sentencing should give due consideration to the gravity of the offence, tailored to be commensurate with harm inflicted. Some of the factors to be taken into account in determining appropriate sentences might include whether the conduct:</p> <ul style="list-style-type: none"> • Consisted of repeated acts; • Entailed abuse of a position of trust or authority; • Was committed against a partner, spouse, or member of the family; • Was committed against, or in the presence of, a child; • Was committed against a person made vulnerable by particular circumstances; • Was committed by two or more people acting together; • Was preceded or accompanied by extreme levels of violence; • Resulted in severe physical or psychological harm for the victim; • Was committed by a perpetrator who had previously been convicted of offences of a similar nature. <p>We will consider the need to tailor sentencing for such crimes, and what those aggravating factors might be.</p>
1700-1715	<p>Session 14 - Presentation of the CPA UK's Online Portal</p> <p>Delegates will be given a run-through of CPA UK's Online Portal on Modern Slavery. This will be an interactive, step-by-step process which will demonstrate the functionality of the portal as a peer-to-peer support hub and resource centre.</p>
1715-1725	<p>Session 15 - E-Handbook</p> <p>Delegates will be given an introduction to the e-Handbook. This online resource will combine good practice, case studies, advice and initiatives that will assist international parliamentarians in legislating, scrutinising and advocating policies relating to modern slavery.</p>
1725-1800	<p>Session 16 - Final Feedback</p> <p>Delegates will fill in post-assessment forms and provide feedback on the seminar itself.</p>
1800-1830	<i>Certificates and Closing Statement</i>
1830	SEMINAR ENDS

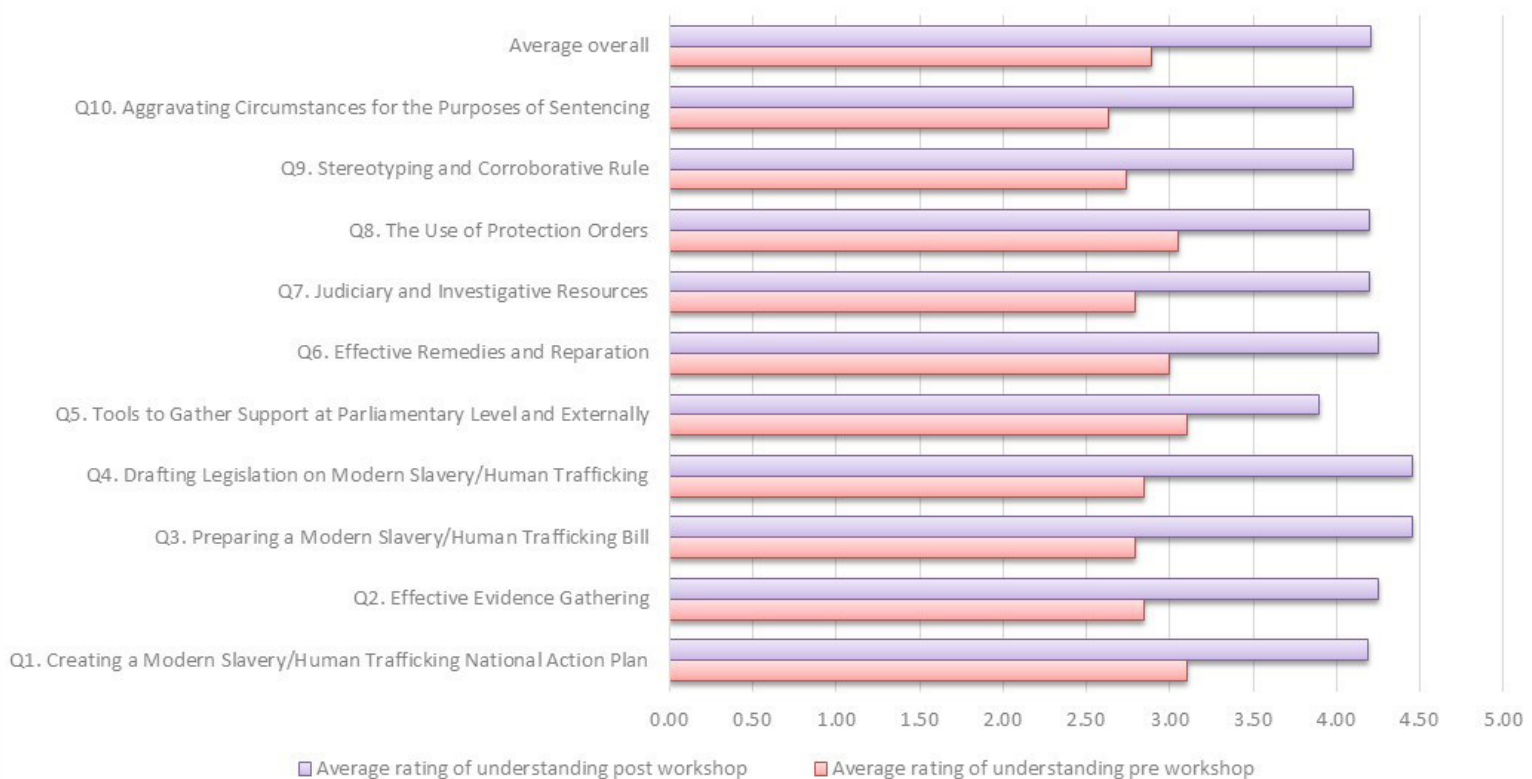
Monitoring & Evaluation

Delegate Feedback

As part of the seminar's monitoring and evaluation process, delegates were asked to complete pre- and post-assessment forms to measure how effective the seminar had been in raising their level of understanding on modern slavery and related topics.

The scoring methodology of the assessment forms is based on a scale of 1 to 5, with 1 signifying no understanding and 5 signifying very good understanding. The graphs below show the average understanding of delegates substantially increased across the board as a result of the seminar.

Comparison of Total Delegate Understanding Per Seminar Topic*



46.14%

avg. increase in total level of understanding

*Based on responses from all seminar delegates (20 Pre-Assessment and 21 Post-Assessment forms).

Key Achievements



13 individual commitments made by parliamentarians to tackle modern slavery including:

- Launching a debate, reading a statement and/or asking a question on the floor of their Parliament;
- Developing legislative strategies and frameworks to tackle modern slavery, human trafficking and forced labour;
- Creating non-party political, multi-stakeholder, topical working groups composed of parliamentarians and key figures in civil society and business;
- Conducting awareness-raising campaigns and promoting national strategies on modern slavery, human trafficking and forced labour in their constituencies;
- Engaging and collaborating with national and international civil society and non-governmental organisations;
- Engaging with and adhering to protocols set by United Nations bodies, such as the United Nations Office on Drugs and Crime; and International Labour Organization

Media Engagement

TWEETREACH SNAPSHOT FOR

#MSLegDraft

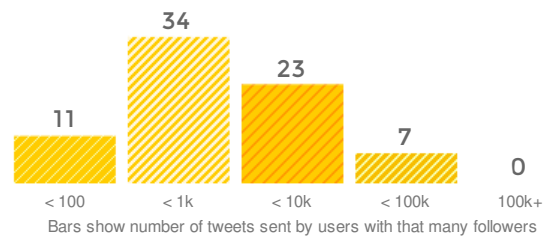
ESTIMATED REACH

149,072

ACCOUNTS REACHED

EXPOSURE

228,164

 IMPRESSIONS

ACTIVITY

75

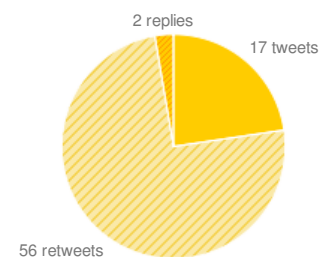
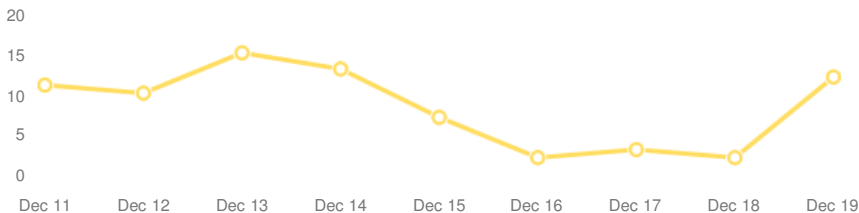
TWEETS

46

CONTRIBUTORS

9

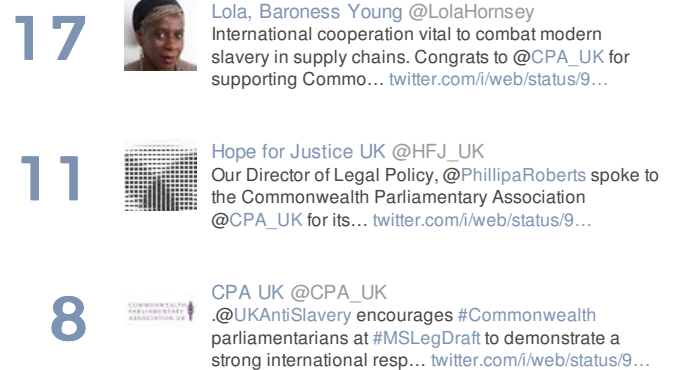
DAYS



TOP CONTRIBUTORS

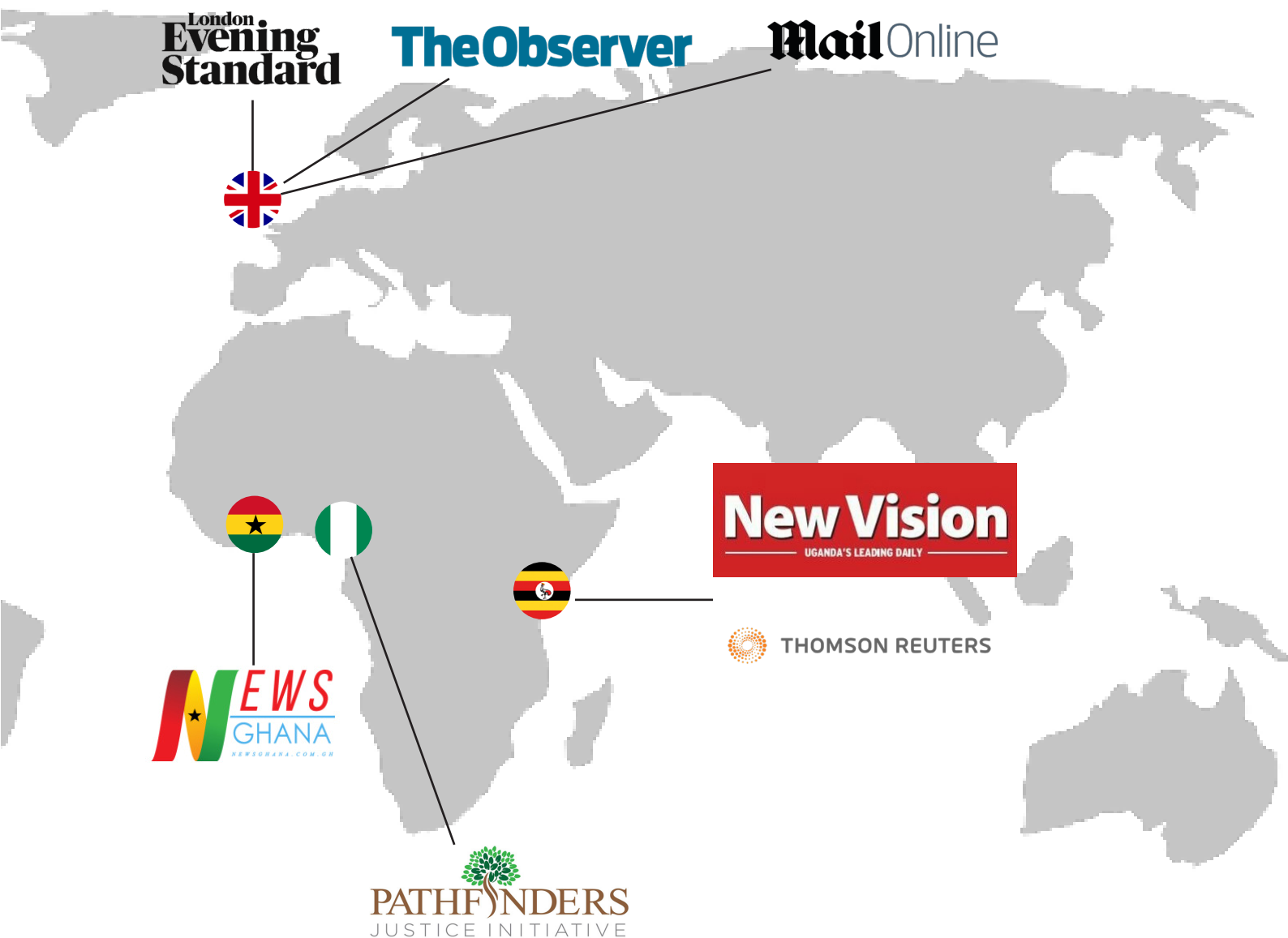


MOST RETWEETED TWEETS



Regional Press Coverage

Below is a representation of some of the media coverage of the Legislative Drafting Seminar on Modern Slavery and Human Trafficking.



The Seminar Team



Jon Davies
Chief Executive & Secretary



Ann Hodkinson
Head, Multilateral Projects
Team

MODERN SLAVERY PROJECT TEAM, CPA UK



Adeline Dumoulin
Head, Modern Slavery
Project



Mark Scott
Special Projects
Communications Officer



Pawel Jarzembowski
Modern Slavery Project
Officer



Morgan Flynn
Modern Slavery Project
Officer

About CPA UK

Who We Are

CPA UK is a member of the Commonwealth Parliamentary Association (CPA), which is a Commonwealth-wide network of some 17,000 national, state, provincial and territorial parliamentarians within 180 legislatures in 52 countries. The purpose of the CPA is to strengthen parliamentary democracy within the 52-country Commonwealth, providing a space for parliamentarians to share, learn, compare and work together to promote Commonwealth values of democracy, rule of law, human rights, good governance and social and economic development.

The Commonwealth brings together a third of the world's population, including a billion people under 25, from the poorest and the richest, the largest and the smallest, developing and developed countries. Within the Commonwealth family there are huge opportunities created by aspects of shared culture, governance commonalities and good diplomatic and trade relations. There are also many challenges, which by acting and working together Commonwealth countries can strengthen their responses and bring about positive change. CPA UK is part of the UK Parliament and is the most active branch in the Association. Its offices are at the very heart of Parliament, off Westminster Hall. All sitting Members of both Houses are eligible to participate in CPA UK programmes.

What We Do

CPA UK runs exciting, demanding, and far-reaching international outreach programmes of parliamentary strengthening and capacity-building with legislatures across the Commonwealth focusing on the tools by which the Executive is held accountable by parliamentarians. CPA UK's themed international parliamentary conferences and parliamentary workshops run in Parliament and abroad attract international speakers of note from politics, academia, NGOs and governments across the world and the quality of its programmes is internationally recognised. Discussions on a huge range of issues take place between international policy makers in forums conducted by CPA UK such as sustainable development, human rights, gender equality and the empowerment of women, climate change, international trade and investment, national security, conflict resolution and peacebuilding.



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INVESTORS
IN PEOPLE

| Silver