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Faith, bordering and modern slavery: A UK case study

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Abstract

In this paper we consider the imbrication of UK immigration and border controls into support environments of the anti-modern slavery sphere. We draw on the findings of a 3.5 years ESRC-funded study to explore how the increasingly strident government anti-migrant agenda - broadly seen in the 'hostile environment', a culture of disbelief and an overarching preeminence of border controls over human rights protections - is percolating into care providers in the modern slavery sector. Bordering in this sector has not had the same level of scrutiny as within the asylum sector, yet is a particularly interesting site to explore due to the confluence of caring and control impulses. The fresh insight we bring to this context is a focus on the notable presence of faith-based organisations in this sphere. We consider the implications of the relationships between faith, support and bordering - both for those subjected to immigration controls, and those working inextricably within them to support individuals exiting exploitation.

Keywords

Bordering, Faith-based organisations, Immigration controls, Migration policy, Modern slavery

Introduction

> So, we regularly would support, if people have got negative [Conclusive Grounds decision], it comes generally to the advocacy team to have a look at, we'll do a case analysis because that's the multidisciplinary aspect of work. Because we firstly need to say, have we got it wrong? Often, we've

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> not but then we'll do a full case analysis and we'll try and get a lawyer involved early on on a reconsideration level because that better sets the case up if the case is going to go into judicial review. It's good to work with a lawyer early on on the case.

Jenny[1], a front-line worker in a (faith-based) organisation working to support individuals identified as 'suspected victims' of modern slavery in the UK, expresses here the knowledge of immigration systems and sophisticated skills of advocacy that are required to support efforts to secure a safer future for any non-British individual caught up in the nexus of immigration and labour precarity that produces modern slavery. As is common, Jenny was attracted to this area of work after feeling morally compelled to act following learning about modern slavery: 'I am a committed Christian, so my motivation for doing this work, I do see that it's something that I've been called to do… I started to see very much my faith and this passion for justice collide with my legal background'. Individuals and organisations seeking to respond proactively to countering the grim realities of extreme forms of exploitation in the UK today frequently find that almost any kind of support or advocacy quickly becomes embroiled in needing to navigate possibly one of the most divisive and polarising social issues of our times – hostile, exclusionary and racialised border violence.

The fresh insight we bring to this context is a focus on the notable presence of faith-based organisations (FBOs) in this sphere, and in particular within the National Referral Mechanism (NRM). The NRM is the UK Government's process and framework to identify and support victims of modern slavery, born out of its obligation to identify victims under the European Convention on Action Against Trafficking (ECAT). This came into force on 1 February 2008 and while the framework originally only referred to trafficking victims, it has since been extended to all victims of modern slavery in England and Wales following the implementation of the Modern Slavery Act 2015 (MSA). To clarify our key terms, modern slavery is not defined in a legislative sense but is usually understood as an umbrella term covering human trafficking, forced labour and slavery (Patterson and Zhuo 2018). We follow McGrath and Watson (2018) in calling this cluster of terms TFLS (trafficking, forced labour and slavery) and 'anti-TFLS' to refer to responses in this field that go beyond human trafficking alone[2].

The prominence of FBOs in the UK's anti-TFLS sector (Lewis et al. 2020) goes hand in hand with the emergence of global multi-faith initiatives countering modern slavery (e.g. Global Freedom Network 2016). In a historic sense, these resonate with prominent faith (particularly Christian)-inspired abolitionist movements to eradicate transatlantic slavery in the 18th and 19th centuries. In contemporary times there has been less scholarly focus on the role of faith actors in anti-TFLS in the UK (but see Pemberton 2017) in comparison to both the USA (Campbell and Zimmerman 2014; Zimmerman 2010; Choi-Fitzpatrick 2014) and the global south (Raimi 2012; Frame 2017; Frame et al. 2019). We have addressed this gap in a previous paper that outlines how FBOs operate on a 'dual register', secularising as they professionalise their public face, while retaining religious distinctiveness when engaging with co-religionists (Lonergan et al. 2020). In this paper we expand on the professionalising trend of FBOs operating in the public sphere of anti-TFLS to consider the implications of the relationship between faith, support and bordering (understood as processes and practices emanating from borders that are symbolically and materially contingent and variable across space and time) - both for those subjected to immigration controls, and those working inextricably within them to support individuals exiting exploitation.

Our aim in this paper, therefore, is to explore how we can understand the relationship between support for non-British victims/survivors of TFLS and the reproduction of borders in the anti-TFLS support environment - which has not been subjected to the same level of scrutiny as other areas of everyday bordering (such as asylum seeking) - and to consider how we can

understand the position of faith actors and FBOs[3] within this nexus. The NRM represents an unusual site of the confluence of immigration controls and support through which to examine the nexus of caring and control within everyday bordering. This is because, although it is part of the UK's bordering edifice, it is also established on principles of care underpinned by ECAT with its Article 12 requirement that 'victims are assisted in their physical, psychological and social recovery'. As such, we are responding to Yea's (2021:525) noting of the "importance of scholarly engagements centring on anti-trafficking as a discursive, practical and institutional formation undertaken by states and other anti-trafficking stakeholders."

The paper is organised into five sections. After this introduction, the second section explores relevant literature on bordering in anti-TFLS support contexts. It highlights the ways in which bordering features in landscapes of migrant 'care' and outlines where and how FBOs and faith actors appear in this context. The third section discusses the context of the study in which this paper is empirically located - anti-TFLS support in the UK - and outlines our methodology and data. In the fourth section we use our findings to explore (i) continuities in experiences of bordering for those who have endured both exploitation and cultures of disbelief within UK Home Office systems, and (ii) the embedding of bordering processes in the daily activities of those seeking to support TFLS persons, advocate for them, and those who operate to shape policy and practice.

Bordering in migrant support environments

This paper is situated within, and inspired by, three overlapping spheres of literature namely (i) literature on bordering and everyday bordering within migrant care and support, (ii) writing at the intersection of border studies and critical anti-TFLS studies, and (ii) literature focusing on the role of FBOs and faith actors within the anti-TFLS support context. We here review each of these areas in turn.

Bordering and everyday bordering within migrant care and support

This paper stands on the shoulders of many critical border studies scholars who see the border and bordering as no longer a state project playing out only at the peripheries of territories, but rather a multi-placed and co-constituted diffuse set of practices imbricated in everyday life (Brambilla 2014; Burridge et al. 2017). As such, we focus on this more mundane and less spectacular form of bordering which has not been subjected to the same level of scrutiny in scholarship on TFLS in comparison to asylum and refugee studies – the *everyday border(ing)* produced by 'in-sourcing' of border controls by diverse types of people into the daily operation of multiple and disparate practices (Back and Sinha 2018; Yuval-Davis et al. 2019). To conceive the everyday border, a 'multiperspectival' optic (Rumford 2012) is needed which takes into account Balibar's 'borders are everywhere' thesis, but nuances this in the light of observations that borders are "only 'everywhere' for certain excluded sections of the population" (Burridge et al. 2017:244). Border work is nebulous and networked; drawing in, for example, politicians, civil servants, border enforcement personnel, social workers, medical staff, teachers, lecturers, workers and volunteers in NGOs, FBOs and community groups. Such intermediaries do not of course coherently march to the beat of state border control work; to imagine such uniformity would be to deny the very real institutional cracks that open up even in the most inhospitable and hostile of political moments and spaces.

State discourses of securitisation and preclusion are most obviously oriented to 'threat' groups such as irregular migrants and foreign national offenders, but impulses also extend into spaces historically constructed as ones of protection and sanctuary; notably those of asylum

seeking. These spaces have experienced a steady erosion of care, support and rights' protections together with more strident policies around deterrence (Clayton and Firth 2021); seen in new measures within the Nationality and Borders Act (NABA) 2022, English Channel migrant pushback policies within the widely criticised Rwanda-UK deal (Davies et al. 2021)[4] and the new Illegal Immigration Bill with its central plank of human rights assaults (Taylor 2023). Collectively, these pernicious and racialised policies are devastating for the rights of asylum seekers and refugees, and are also intertwined with an assault on the protections for victims of TFLS.

Notwithstanding socio-legal and categorical differences, it is important to note the meaningful overlaps between asylum seeking and those claiming protection from exploitation in contexts of TFLS. The aforementioned NABA 2022, for example, symbolically brings TFLS together with asylum into one piece of legislation. But long pre-dating this new legislation has been the raft of increasingly threatening policies for migrants' rights most usually understood as the 'hostile environment' over the last three decades. This has had, and will continue to have, both discursive and practical implications for victims of TFLS. There is a bleeding of the 'culture of disbelief' from asylum to the anti-TFLS sector, with former Home Secretary Priti Patel claiming an - unevidenced - rise in 'people abusing our modern slavery system by posing as victims'[5] and current Home Secretary Suella Braverman's claims that people are increasingly 'gaming' the protection system[6]. TFLS persons also often make subsequent (or parallel) asylum applications as the only chance they have to remain in the UK in the face of no automatic Leave to Remain even with positive TFLS adjudication (Hynes 2022). The NABA, together with its associated upcoming regulations and provisions, is going to not only threaten the basis of protection for refugees under the 1951 Refugee Convention (UNHCR, 2021), but will also lead to a context whereby "disclosure and identification of people affected by trafficking, exploitation, or modern slavery will become more difficult" (Hynes 2022:18). A joint briefing led by the Anti Trafficking and Labour Exploitation Unit (ATLEU) on the draft Slavery and Human Trafficking (Definition of Victim) Regulations 2022 has noted the damaging narrowing of the definition of a victim and therefore a reduction of the scope under which victims will be identified (ATLEU 2022a, b).

Critical anti-TFLS studies

Critical anti-TFLS scholars have long highlighted the contradictions at the heart of many anti-TFLS measures, which promote and proliferate border controls yet largely fail to stem the movement of those who are coerced across borders (O'Connell Davidson, 2015, Mai 2018). Individuals get ensnared in racialised state-authorised anti-TFLS approaches focused on criminalisation, delegitimation, detention and deportation (Lewis et al. 2015; Plambech 2017). Borders in this context are also seen as inherently gendered and sexualised (Vuolajarvi 2019) and mired in persistent reliance on tropes of victimhood and 'victim rescue' (Kempadoo 2015). Of particular relevance to this paper's focus on faith-based landscapes of support, are also the human rights abuses and stigma-reinforcing processes that can occur in the name of anti-TFLS support programmes (Yea 2021; Laurie and Richardson 2020). TFLS persons can be detained/sheltered for long periods of time (Musto 2016 describes this as 'carceral protectionism'), denied access to legal advice and remedial justice, and exposed to further exploitation after support programmes withdraw (Dottridge 2017). All these features can paradoxically lead to deepening experiences of vulnerability and prevention of the building of safer futures for those escaping exploitation.

Through this paper's consideration of everyday bordering in anti-TFLS support spheres in the UK, we are also inspired by Bhagat's (2022:3) recent conceptualisation of "trafficking

borders as spaces of restriction and negotiation contingently encountered along mobility routes". Through exploring anti-trafficking initiatives in a Himalayan region of Nepal, he uncovers spaces of negotiation, but also of liminality and restriction. Such a nuanced account of how the trafficking discourse "coalesces several discourses, institutions and practices as borders" (p.1) can be thought of as a framing for our focus in this paper on the UK faith-based anti-TFLS support context. Also pertinent to this paper is the work of Hynes who in a recent 2022 paper has meticulously delved into the distinctions and disconnects between asylum and trafficking in the UK. She finds the support landscape for exploited individuals is confusing and difficult to navigate. Hynes concludes that "an age of fractioning of protection results in fractioned responses, separate support structures, and varied socio-legal categorisations" (Hynes 2022:18). This resonates with Mountz and Hiemstra's (2014) argument that states *intentionally* construct 'chaos' within immigration systems in order to extend sovereign powers and exclusions.

FBOs and faith actors within the anti-TFLS support context

We turn now to a brief outline of the literature that frames our interest in FBOs within anti-TFLS support. The broader context is the involvement of FBOs more generally in the UK's public sphere in the last few decades, facilitated in no small measure by neoliberal welfare state restructuring from the 1980s onward (Jawad 2012). This has provided the opportunity for FBOs to be involved not only in directly providing welfare services (e.g. homelessness, drug and alcohol rehabilitation, food banks) as government outsourcers (Williams et al. 2012) but also to simultaneously fill the gaps of social provisioning as swingeing welfare state cuts leave their mark on vulnerable individuals and communities (Gray and Barford 2018). There is additionally a wealth of literature globally regarding the significance of FBOs within related areas of need such as forced displacement, international development and humanitarianism (Fiddian-Qasmiyeh 2011; Ehrkamp and Nagel 2017). Many of these studies highlight the important role that FBOs play in these domains, where they are often on the front-line before and after other service providers (Wilkinson et al. 2021), have wide-reaching networks and resources that can be quickly mobilised and are frequently trusted by vulnerable individuals on the basis of their faith identity and long-standing roots in affected communities (Leary 2018).

However, these more favourable views of FBOs have to be seen alongside broader discussions of the potential co-option of third sector providers to state agendas as part of 'roll-out neoliberalism' (Peck and Tickell 2002:384) with risks of service users being disciplined on behalf of the state (Lancione 2014). For FBOs in particular, there are concerns that outsourcing state welfare services to them has increased the influence of conservative faith leaders at the expense of women and sexual minorities (Patel 2011), and possibilities that the 'theo-ethics' of care for vulnerable individuals (Williams 2014) can present opportunities for proselytisation (Wilson 2011). There are also a few studies that probe the subtler set of relations between FBOs and service users that may involve various degrees of manipulation and conditionality rather than outright proselytisation. In a recent study exploring support for new migrants in Luton, UK, Humphris (2019) encounters volunteers within FBOs who have wide discretionary power to fall back on religious values through trying to prove their own moral worth as Christians rather than supporting a more direct entitlement to rights for service users; in this sense 'doing the dirty work of border enforcement' (Humphris 2019:107). Giordana (2015) focuses on conditionality within FBO support and outlines Italy's granting of legal documents for trafficked persons only on the condition that they go through Catholic FBO re-education programmes that mirror the religious logic of confession, penance and redemption.

The context of Giordano's study is Italy, but what, then, of FBO presence within the UK's anti-TFLS sphere? As noted in the introduction to this paper, the backdrop to this paper's focus on the UK is the notable presence of global faith and multi-faith initiatives countering TFLS (Tomalin 2022 forthcoming). Although not exclusively, in the UK this is largely a story of Christian presence (Lonergan et al. 2020). Christian FBOs and individual faith actors often understand their role in responding to the issue of TFLS as embedded in a long history of Christian involvement in this sphere and refracted through a lens of 'moral legitimacy and clarity' (Zimmerman 2019). In theologically infused anti-TFLS support in the UK we have found this results in the subtle use of a faith lexicon; such as extolling 'love' through practice and 'having a heart' for work in this sphere (Lewis et al. 2020). This paper widens our understanding of faith action in the UK as it moves on to explore the intersection of bordering practices and everyday bordering within anti-TFLS support provided by FBOs. As such, the paper confronts literature that is more celebratory and optimistic regarding FBOs ability to deliver comprehensive and well-resourced care to trafficked persons (Pratt 2021) together with studies that are more circumspect due to their concern that TFLS individuals may move from a space of coercion/control at the hands of an exploiter into a constrained care environment provided by a FBO (Snyder 2011).

Context, methods and data

This section will first clarify the system of protection for those affected by TFLS in the UK, before moving on to outline the methods and data for the project that underpins our arguments in this paper. The establishment of the NRM in 2011 for suspected victims of trafficking (later altered to 'victims of modern slavery' to reflect UK legislative changes) is based on a principle that people who have endured extreme exploitation require a space for physical, psychological and social recovery which must entail secure accommodation, psychological and material assistance. In contrast to asylum provision, the private sector is not - as yet - greatly involved in service provision for those affected by TFLS. In 2011 NRM service provision was outsourced to The Salvation Army (TSA) through a Victim Care Contract (VCC). TSA is an evangelical Christian church as well as an FBO and a large non-governmental provider of social care. TSA was recently successful in the re-commissioning process in 2021 and was awarded the Modern Slavery Victim Care and Coordination (MSVC) contract worth £280m over 5 years. TSA itself acts as a subcontractor as it devolves service provision to a further 12 organisations in order to attain regional coverage. A feature of the UK support environment is that 7 of these 12 organisations are FBOs/organisations with a faith-origin.

In this paper we consider the imbrication of immigration controls into support environments in the anti-TFLS sphere through multiple lenses of differently situated actors. We draw on the findings of a 3.5-years ESRC-funded study[7] which investigated the roles of FBOs in anti-TFLS in the UK. We secured a multidimensional set of data involving people with experiences of TFLS being supported, six case studies of support organisations, key informant interviews with statutory actors, key informant interviews with civil society actors (a total of 64 in-depth qualitative interviews), document analysis of relevant Hansard parliamentary debates and government documents, and a mapping of the anti-TFLS third sector. A key strength of this study is our ability to triangulate multiple perspectives from differently positioned actors within the field, incorporating individuals who identified with a faith identity and those who understood themselves as secular actors.

In this paper we explore encounters with borders and bordering practices from the perspective of three cohorts and data-sets from the wider study: interviews with government and civil society stakeholders, case studies of support organisations, and interviews with people

who have experience of being supported after being identified as suspected victims of TFLS. Our participants with experience of TFLS-exploitation are a diverse cohort of individuals of 14 people, 3 men and 11 women, who were exploited for their labour, more specifically sex work and domestic servitude (it is important to note that the abuse they experienced was evident across different categories)[8]. Through our analysis of the above 3 data sets in the qualitative software package Nvivo, we explored discussions of 'immigration' and 'borders/bordering' with a view to understanding how the increasingly strident government anti-migrant agenda (broadly seen in the 'hostile environment', a culture of disbelief and an overarching pre-eminence of border controls over human rights protections) is percolating into FBO statutory and voluntary care providers in the anti-TFLS sector.

Findings: bordering in modern slavery support

As described in the previous methodological section, immigration as a topic and challenge emerged in the data across each of the groups we included in our study, just as it seeps into the everyday lives of support workers, advocates and TFLS persons. 'Immigration' is almost universally seen as problematic, due to it being a topic of perpetual moral panic and complexity. Bordering is embedded across the spectrum not only for those subjected to immigration controls before, during and/or after exiting exploitation but also can be seen to shape the 'helpers' seeking to intervene and support those exiting severe exploitation and government officials or civil society organisations wishing to influence debates and policy responses. We examine this here with examples drawn from each of our three key UK participant groups: (i) those receiving support; (ii) organisations offering support, (iii) and those advocating and influencing policy and practice within senior government, political and civil society roles. In the first section, we consider the continuities in experiences of bordering from exploitative situations to cultures of disbelief within UK Home Office systems; two trajectories in which individuals' capacity for autonomy is severely impacted by control measures. While identification with TFLS experiences is key to securing support and protection, such labelling was not integral to the identities of those we spoke to; faith and religion can play a key role in surviving and recovering from exploitation. We then go on, in the second findings section, to demonstrate how bordering processes are embedded in the daily activities of those seeking to support TFLS persons, advocate for them, and who operate to shape policy and practice.

Confronting the border: continuities of risk and disbelief

Of the 14 people who shared with us something of their exploitation and bordering experiences in the course of interviews about experiences of support, 11 had entered the UK as part of TFLS, while three fled to the UK to escape TFLS. Most participants did not exercise any 'choice' to cross territorial borders and enter the UK. Indeed, it is often the case that trafficking or coercive processes inherent to severe exploitation involve the use of immigration control and risk of deportation as a coercive threat, interweaving borders with exploitation trajectories. Those in TFLS routinely confront the bordering implicit in immigration applications as an event or process if they seek leave to remain following exit from an exploitative situation.

For many TFLS persons, it is prior to their contact with or interaction with 'authorities' that the 'invisible' threat of deportation is utilised by their exploiter/s as a means of coercion and control. Indeed, one of eleven indicators of forced labour identified by the International Labour Organisation is 'threats of denunciation to immigration authorities', recognised in the UK guidance on modern slavery (points 2.75 and 2.86, Home Office 2022) as a 'means' or threat of penalty through which slavery, servitude and forced or compulsory labour is exacted.

This indicator acknowledges how the spectre of deportability (De Genova 2002) is very often an ongoing reality and threat that is woven into experiences of coercion, extending the exclusionary power of territorial borders into daily life. This is described here by Mariana: 'the family had threatened me saying that immigration is looking for me and they will detain and remove my fingernails. So I was very frightened'. Sarah was continually threatened by her traffickers that they would report her to immigration control, which would subsequently lead to her deportation. This wider awareness of the precarity of her situation led to her perpetuated re-trafficking, on an estimated 13 occasions.

When eventually exiting an exploitative situation, TFLS persons then encounter the culture of disbelief endemic to Home Office decision-making which is widely accepted as embedded in asylum applications (Stepnitz 2012), and is now recognised as also affecting determination of conclusive grounds in modern slavery cases (York 2021; set to become a greater problem when new 'reasonable grounds' and applicants' credibility tests are introduced in secondary NABA legislation; placing a greater 'burden of proof' on the applicant with significant risks of the culture of disbelief deepening). Mariana summarised the challenges for a person entering into the space of bordering of official immigration processes in confronting the dual threats to their bid for protection of a disbelieving Home Office and the fear of such already installed by exploiters during processes of coercion:

> I think one of them is not getting support earlier. Second, is disbelieved, most of the time they don't believe human traffic - people who have been trafficked they are not believed. Not because they were not trafficked or what they are saying is not true, but it's because most people have gone through threats. When they go to the immigration they are already scared of immigration and they don't tell the fact of what happened. They try to protect the people that brought them here and most charities they know that. I think even the Home Office knows that, but instead of helping the human trafficking person, they use it against you" Mariana, TP1

Anila, who was trafficked to the UK for sexual exploitation when under-18 was later identified as a suspected victim of modern slavery as an adult. She explained how her interaction with the Home Office in describing her forced engagement in commercial sex pushed her to recognise that relaying her experience 'wasn't enough', and her realisation that she had to persuade the government to believe her:

> Then she says that oh, if we find out you lie, you have to go to jail for five years. That is when I understood that your story wasn't enough, what you went through. You have to make them believe you. When you tell them the truth, they don't believe you…
>
> You're sitting there and telling your story to that person who doesn't even care for what happened to you. Imagine how hard that is, and how it will leave you after you finish that interview and you go home. You feel like nothing. It was so hard. Anila, TP10

These types of responses from the Home Office to those exiting TFLS, which imbue disbelief and threats of removal or criminalisation into immigration authority interactions, therefore may have the effect of reproducing and reinforcing some of the harm and violence threatened by exploiters. Hence, for people coerced through threats of denunciation to authorities, confrontation with a disbelieving Home Office to seek permission to remain in the UK is not the beginning of negotiation of immigration controls. Rather, confrontation with a disbelieving Home Office continues bordering practices from exploitative control into immigration control in a continuum, from the territorial to the everyday.

How to be recognised as someone who has been subjected to severe exploitation is central to the negotiation of legal protection and practical support. Legislative definitions accept only certainty, leaving no room for possibility, dictating an either/or approach to recognition, with direct implications for support. Access to services and support stems from two different decisions made by the UK Home Office to determine whether they will consider a person: (i) to be a victim of modern slavery and (ii) to have grounds for asylum. Taylor, for example, explained to us that during her asylum interview the Home Office questioned why she didn't 'run away' from the people facilitating her exploitation. This belies a possible lack of understanding, or lack of acknowledgement of how coercive control operates. Taylor experienced the impossible dynamic between victimhood and agency deployed in many asylum and modern slavery determinations which so often results in a 'lose/lose' situation for trafficked persons seeking to secure protection. Of the 14 participants we spoke to with experiences of modern slavery support, 11 had made a claim for asylum in the UK, nine of whom were referred to the NRM. The remaining 3 were recognised as EU citizens. Mariana reported: 'Yeah, asylum and NRM also rejected the same day with one person making the decision'. It was her understanding that a positive decision in the modern slavery application (appealing a negative conclusive grounds decision) was essential to support her fresh claim for asylum. Caroline received a positive decision on her claim for asylum the day after receiving positive conclusive grounds. These proximous experiences reinforce concerns about immigration control imperatives well recognised in asylum decisions bleeding into modern slavery cases.

The difficulty of differentiating between seeking asylum and modern slavery Conclusive Grounds exemplifies uncertainty around where the border is controlled, and by whom; as noted above, confusion and chaos needs to be recognised as a deliberate tactic of states (Mountz and Hiemstra 2014). Furthermore, the NRM acts as a quasi-border-access to support route only via a successful Conclusive Grounds claim, and applicants are abandoned if they receive a negative Conclusive Grounds decision. Any relationships or dependency on support workers built within NRM support stops all of a sudden. Organisations contracted to provide NRM safehouse protection rarely feel able to challenge or obstruct Home Office immigration control imperatives. In a departure from 'rescue' narratives that rely on a construction of exploitation and freedom as a binary, this reality necessitates recognition that elements of control and risk of threats emerge both in exploitative situations and within support environments.

The imperative for people with experience of TFLS-exploitation is that they 'fit' the criteria defined by legislation and implemented by statutory support services, but this contrasts with narratives of our interviewees for whom such exploitation was not always considered integral to identity or sense of self. If you don't connect your experiences with TFLS, either because you reject/resist, you don't 'fit' the typical narrative (Andrasjevic, 2010) or have never encountered the definition or terminology used, your ability to identify TFLS is compromised. TFLS as an experience not an identity is relevant to the roles of faith and religion in the lives of those we spoke to. Religion was an integral part of the identity of 10 (of 14) participants receiving support, who frequently cited faith as playing a powerful role in surviving and recovering from experiences of exploitation. Other literature has discussed spirituality as a key part of people's coping strategies when faced with trafficking (Plambech 2017; Vanderhurst 2017; Hodge, 2021). As Lea articulated: 'I believe in Jesus and God, not people. I don't believe no one'.

This provided one dimension through which individuals could embrace and define their own identity, gaining strength from this, and resisting the imposed identity of a TFLS person. As such, faith can be seen as resonating with Katz's (2001) lens of geographical 'counter-topographies'; a way to illuminate the possibilities of subjects-in-formation being able to disrupt bordering practices through agentic actions. A belief framework and faith practices to support recovery and survival may not be performatively enacted as *resistance* (which Katz

explains as 'oppositional consciousness'), nor even *reworking* (the broader restructuring of conditions in which people live) but can be seen as *resilience* (strategies of endurance people adopt to facilitate everyday living - 'spiritual coping mechanisms' in this context). Such resilience springs from the challenging bordering experiences detailed in this section - both those derived from exploitative situations themselves and through the cultures of disbelief encountered from the state when protections are sought. The next section moves on to explore how bordering features in the experiences of those supporting TFLS persons and for those seeking to shape policy and practice within the modern slavery sphere.

Seeing the border: visibility of immigration in support and policy responses

In support and policy arenas addressing TFLS, 'helpers' may be inextricably incorporated into operating within broadly held hierarchies of deservingness based on victimhood and migration types, alongside other state imperatives of immigration control. In the UK anti-TFLS sector, this occurs not only within 'everyday bordering' where this infers the adoption of border control measures in hitherto separate functions of public service (e.g. health, banking, education), but imbues the day-to-day operations and reputation of NGOs providing support services, as well as policy environments at the top of the government.

In all subcontracting of government services to charitable organisations, one of the key advantages for the state is the potential for match-funding and additional sources of charitable funding to support often limited government-funded service provision. This is also the case in the UK anti-TFLS sector as described here by Alison, Director of Anti-Trafficking for a FBO:

> People readily want to donate to trafficking and to modern slavery, so therefore we've got funds that people will raise for and they will give it to us to plough back into the support of victims of trafficking.

However, FBOs we spoke to grappled with the distance between their more nuanced and complex picture of TFLS (which in all cases had long moved beyond a singular focus on female victims of sexual exploitation as the 'perfect victim') and their reliance on donors operating within such stereotypes for funds to supplement governmental or charitable grant funding. For one Catholic case study organisation, staff revealed how they carefully managed the representation of TFLS in their public communications to safeguard their donor base. CS1 is an NRM provider which has provision for men, the proportion of which being referred to the NRM has steadily increased since the passage of the Modern Slavery Act improved awareness of labour exploitation:

> We will get a lot of cheques, for example, but they're very specific about the kind of person that they want to support, which really is, as a religious person, you should be happy that your money's going to support any victim, not just a female. But for whatever reason, people love the idea of a female beautiful sex slave, shackled to the bed. No one's interested in the man vomiting in the street because [they are drunk]. Paul, Former CEO, CS1.

These issues demonstrate how the notions of deservingness underpinning a culture of disbelief which operates through simplified constructions of agency and victimhood are embedded not only in immigration decision-making but have also seeped into the public domain in recent decades. Paul went on to explain this as a 'hierarchy of sympathy' which maps onto migrant types and notions of legality:

> I talk about there being sort of a hierarchy of sympathy. So, for instance, with a lot of Christian groups, [NRM provider name] would be one, perhaps subconsciously we start [with a] sexually exploited female, particularly if …she was physically abducted, it's right at the top and then you move down. If you're just, oh well, I was a migrant fruit picker and they never paid me any wages, you're quite at the bottom actually, well, that's almost an illegal immigrant, isn't it?

In addition to having access to independent resources (material and human), a key theme emerging from the four FBOs of our six case study support organisations, as well as faith-based civil society key informants, was the idea that FBOs offer a distinctive form of anti-TFLS service, characterised by being client-centred, and holistic. Contrary to fears of FBOs compromising quality or appropriateness of provision of support for people of other faiths or none, most practitioners in FBOs we spoke to clearly articulated how their religious ethos provided a framework for unconditional and non-judgemental support as central to Christian praxis. A member of frontline staff in CS2 said: 'not judging… it's our way of living'. As a key public faith organisation providing support across many areas, the Salvation Army, which holds the government MSVC contract is recognised as widely trusted, as expressed here by a political figure who has had much involvement in modern slavery legislation and policy:

> The Salvation Army… I mean the public are so supportive of them. I suspect because they are the people first on the scene of disaster. Handing out coffee and biscuits and blankets. They've always been that way.

Despite this purported distinctiveness and 'warmth' of FBOs, throughout our research, we encountered organisations within and outside of the NRM contract whose interactions with the Salvation Army seemed similar to those with any other multinational outsourcer engaged in the global immigration and detention complex. For example, amidst concern over data sharing with the authorities by NRM contractors, a legal case was won in 2022 by a trafficked person against the Salvation Army for handing over confidential information to the Home Office (Taylor, 2022). There is further little available public information about the degree of adherence by NRM contractors to the multi-agency produced Slavery and Trafficking Survivor Care Standards coordinated by The Human Trafficking Foundation (first published in 2018). As mentioned in the previous section MSVC contract holders are contractually obliged to remove claimants when their time period in the NRM expires (this was 45 days until a successful court case challenged this in 2019), or if their Conclusive Grounds decision is rejected, thus making their support conditional on immigration processes. While this may be a straightforward contractual obligation, the extent to which public-facing overtures of charitable and loving support are actually overshadowed by and entirely prescribed by bordering through the Home Office contract is routinely made invisible.

Many of the frontline workers we spoke to in support organisations saw a strong association between building trust and 'empowering' their clients to move beyond the situation which had led to their exploitation. Trust is seen as vital to helping people effectively, but also holds risks where people have been in dependent and untrusting circumstances in exploitation – it conveys much power on support workers, which needs to be carefully managed.

Support workers need a high level of knowledge of the welfare environment, immigration restrictions and controls applicable to EEA, non-EEA and UK nationals as well as the overlapping support between the NRM and asylum systems to make effective interventions to safeguard clients. To respond to this complex arena, FBOs are professionalising through recruiting staff from legal, social work, housing and other professional backgrounds. Interacting with the police, Home Office, and their intermediaries (e.g. local authorities, immigration

lawyers) brings frontline workers into a closer relationship with the state. Case Study 6, for example, has a close working relationship with the police and has hired former police officers. This gives them an appreciation of the challenges facing state-led enforcement in the field of TFLS. Senior manager Patrick describes:

> Today it's modern slavery, tomorrow it's counter terrorism. The next day it's domestic abuse. They're constantly bombarded with public government and different priorities. So, there's the whole resource challenge around this. So, I get that as being a former chief officer, you're constantly trying to manage your resource to meet the demand.

CS6 is a FBO which was formed to address support for trafficked persons and is strongly linked to evangelical Christian churches and donors, although it presents publicly without any reference to Christian ethos. The organisation expanded rapidly in its first 5 years and professionalised through recruitment of people from legal, police, social work and housing support backgrounds. Several staff at CS6 expressed how a deliberate decision to not be a NRM provider enables them to better challenge the statutory frameworks and limits to support. This abridged narrative from a volunteer at CS6, describes the lengthy process to secure housing for just one client, utilising their knowledge of EEA migrant eligibility and rights from a previous job in housing support:

> You have to continuously be working or living in the UK. You can't have a break in that…Their argument was that because his work had ended after he'd been found as a victim of trafficking, and he hadn't claimed benefits …, the few months that he'd been in the safehouse was a break in his continuous exercise of treaty rights, therefore they were questioning whether they could continue to accommodate him, because he probably wasn't eligible for support in the UK. But we put together quite an interesting argument which said that, well, the point of the NRM is for reflection based on the traumatic experiences they've had. So, if you stop being a worker because of sickness, your legal residency in the UK continues. You maintain your worker status even though you're not working. We …worked with [specialist human trafficking legal centre], who put various arguments to them, and then he got found eligible and he's got housing now, which is really, really good. So, …doing the background research, finding the legislation, applying the legislation to his case, working out what the holes would be in the council's argument.

The immigration 'factor' therefore complicates interventions, rather than acknowledging the role of migration as central to workers' experiences. In the arena of public information and emotive public statements about combatting TFLS, the problematic of 'illegal working', and 'illegal immigration' as a core issue is generally carefully sanitised away and invisibilised. Meanwhile, the day-to-day operations of police, support organisations and legal advocates are deeply embedded in recognising and - in some cases - challenging everyday bordering as a barrier to supporting TFLS persons.

Respondents' views on government policy around immigration covered a wide range - from individuals who spoke of the impact of the 'hostile environment' to those who, when asked immigration questions, suggested they hadn't given it much thought. This was true of employees of both FBOs and non-FBOs. Many of the NRM-involved groups we spoke with suggested that they would 'feed back' any concerns they had about the NRM to TSA, who would then 'feed it back' to the HO. However, even the more outspoken groups were focused on specific and 'piecemeal' improvements rather than a more radical critique of the criminalisation approach as a whole. This process produces a countervailing tendency of organisations being more embedded in state-affiliated bureaucratic structures - whether it is actually NRM services,

or trying to get any concession out of a vehemently xenophobic government - and this makes it harder for them to voice radical criticisms publicly; 'you choose your battles' was the typical pragmatic response to confronting border violence in relation to TFLS[9].

Conclusions

From our analysis of the experiences of differently situated actors in the TFLS support environment, we derive two key findings. First, our analysis reinforces the proposition that the role of borders and bordering is integral to the challenges encountered by migrants exiting exploitation, from before and at the point at which they cross the territorial border through to gaining leave to remain. Moving beyond Balibar's (2002) 'borders are everywhere' thesis, we demonstrate how the absent presence of borders suggested in ideas of diffuse practice through polymorphic borders (Burridge et al. 2017) - mostly articulated in studies focused on asylum systems - can be extended into bordering within anti-TFLS support. We also here apply the idea of *everyday bordering* - the in-sourcing of border controls into daily practices - (Yuval-Davis et al. 2019) not to wider street-level bureaucrats (e.g. health, education, bank workers) but to the 'supporters' and 'rescuers' in the anti-TFLS sector who are inveigled into everyday bordering even *within* regimes of support (see also Toğral Koca, 2010, 2022 for similar findings in the asylum seeker and refugee sector). Such a framing demands a nuanced understanding of how borders interweave with both exploitation and support trajectories to generate complex spatial realities for exploited people; at times bordering is invisible or unrecognised, at other times legibility can give rise to agentic actions of resilience, even if not reworking and resistance (Katz 2004). As Gupta (2006) notes - contradictory processes go into constituting the border from above and below that can lead to subjects finding, even in hostile environments, spaces of possibility for the re-making of border(ing)s. This intersects with our second key finding.

Second, FBOs and faith actors have a distinctive and trusted role in the anti-TFLS support sphere, but this paper explores how the oft-articulated idealistic notions of unconditional love, rescue and restoration intersect with the realities of the UK's hostile environment. There is a risk that hard gained trust by FBOs for those exploited is corroded by pervasive cultures of disbelief and deservingness/undeservingness discourses. The disturbing reality for many experiencing exploitation trajectories is that exploiters use the threat of denunciation to authorities as a form of control; and then 'after rescue' the supporters operating within the NRM and asylum systems have little choice but to replicate, reproduce and perpetuate the racist violence of bordering through communicating risks, e.g. about disbelief, good/bad victimhood, and ultimately related to a sudden termination of support from the NRM after 45 days.

Attention to the strategic visibilising or invisibilising of bordering we argue, should be a core area of exploration not only in seeking to further understand coercive practices and exploitation processes recognised as 'modern slavery' but also within support and policy domains. Yes; care in the anti-TFLS sector *can* (and does) co-exist with prevailing punitiveness and injustice (DeVerteuil 2014), but the structural logics of racist bordering too often prevail. Immigration controls play out - and are shaped by, mediated or reproduced - in different tiers of experiences of the diffuse border which incorporates not only the dyad relationship between 'state authorities' and their 'subjects' (those subjected to immigration controls), but also diverse actors unavoidably drawn in to negotiating borders in their attempts to support TFLS persons and influence policy.

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Notes

1. Pseudonym
2. Human trafficking - the recruitment, transportation, harbouring or receipt of persons for the purpose of exploitation - is not synonymous with modern slavery; severe exploitation may occur without a process of 'trafficking'.
3. We use the term 'faith actor' to refer to individuals, institutions and organisations that have a faith background, and the term faith-based organisation (FBO) to denote an organisation with ties to a religious institution and/or an underpinning faith ethos.
4. Although likely subject to a Government appeal through the Supreme Court, in June 2023 the Court of Appeal ruled it is unlawful to send asylum seekers to Rwanda to have their claims processed as Rwanda was ruled not a 'safe third country'.
5. See: https://www.gov.uk/government/news/alarming-rise-of-abuse-within-modern-slavery-system and the related decrying of such baseless claims of widespread abuse of the system, e.g: https://www.onepumpcourt.co.uk/news/one-pump-courts-response-to-press-release-by-the-home-office-and-home-secretary-headed-alarming-rise-of-abuse-within-modern-slavery-system-21-march-2021/
6. Suella Braverman MP, Speech to the Conservative party conference: Our plan for law and order, (Conservatives.com, 4 October 2022).
7. 2017-2021, ES/N014979/1
8. Participants with experience of TFLS exploitation were recruited via trusted gatekeepers in our case study organisations, and similar organisations that we were in touch with through our existing networks developed through previous research in the region. In most cases, a known case worker initially introduced the research to the potential participant, then information about the research and voluntary participation and consent were discussed at one or more meetings over the phone or face to face prior to arranging an interview.
9. The management of modern slavery responses in the UK shifting from the Ministry of Justice to the Home Office has of course resulted in a deep infiltration of immigration control imperatives at the highest level. This direction of travel has further recently been indicated through the Home Office taking the modern slavery brief away from the minister responsible for safeguarding and into the brief of the immigration minister under 'illegal immigration and asylum' with the deeply problematic and worrying suggestion of NRM claims coming from 'people gaming the system' (Dugan 2022).

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