

Rwanda removals:

Information for survivors of modern slavery and human trafficking

The UK is aiming to send some people seeking asylum to Rwanda. Once in Rwanda, it could become very difficult for those people to return to the UK. The Government is relying on new laws (the Safety of Rwanda (Asylum and Immigration) Act 2024 and Nationality and Borders Act 2022), [guidance](#), and a treaty to begin this process.

This information is compiled for people who have experienced trafficking, modern slavery or exploitation to understand the process, their rights, and possible options if they receive a decision about removal to Rwanda. It may also support caseworkers and advocates working alongside survivors affected.

Important note: This content has been drafted within days of the Safety of Rwanda Act becoming law, and guidance being published. We do not yet know exactly how and when Rwanda action will be rolled out in practice, including in trafficking and modern slavery cases, and those processed under the National Referral Mechanism (NRM). This document is for educational purposes only, is not a legal guide and does not cover every possible situation or legal grounds of challenge. **Always contact a legal aid lawyer as soon as possible, or ask for more time in order to get one.**

Am I at risk of removal to Rwanda?

You may be at risk of removal to Rwanda where:

- You claimed asylum in the UK **after 1st January 2022**,
- You are eligible for the Rwanda “inadmissibility action” under Home Office [guidance](#) e.g. have not received an asylum decision yet
- Came to the UK through a journey described as ‘**dangerous**’ (for example by lorry or across the Channel) and **passed through another country** where you could have claimed asylum (for example, France),
- You are **not** a family with children under the age of 18.

Survivors of modern slavery and human trafficking may be included if [all four points apply](#), but there are also grounds for survivors to challenge a Rwanda removal notice. An explanation of these criteria can be found [here](#).

What happens if I receive a decision about removal to Rwanda?

If you are affected, you may be detained in an immigration detention centre (also called 'immigration removal centres') under immigration powers. You can read about immigration detention in [Right to Remain's toolkit here](#).

If considered for removal to Rwanda, you would receive:

- A 'notice of intent' (NOI) outlining the possibility of removal to a "safe third country" including Rwanda.
- If given a NOI, you will have **7 calendar days** (if detained) and **14 calendar days** (if not detained) to respond. You will need to explain why your claim should not be deemed inadmissible, and you should not be sent to Rwanda, based on your individual circumstances.

The NOI **must** tell you that you can apply for an **extension of time to respond**. You may then request an extension of time based on your circumstances and the need for a fair process. At the end of the period (including any extensions) you could receive a decision stating that your asylum claim has been declared '**inadmissible**', meaning the asylum claim will not be considered in the UK. If an extension of time request is refused you must also get a decision stating this (or it will be contained in the inadmissibility decision).

Being identified as a survivor of trafficking, modern slavery or exploitation

Identifying as a survivor of modern slavery or human trafficking can be complex. Many survivors do not identify themselves as such or may be afraid, have feelings of shame or trauma.

The Home Office [has guidance](#) on indicators of child and adult trafficking. This could include working with little pay or no pay, no proper place to sleep, being taken to unknown location amongst many other signs. The legal charity ATLEU has also provided some guidance on the definition and [key signs of trafficking](#) the Home Office uses to identify victims. Always share relevant details of what happened to you with your lawyer. They can help advise on whether it fits the [legal definition of trafficking](#).

I'm a survivor of trafficking or modern slavery – am I protected?

In some cases, particularly with the right legal help, you may be protected under UK or international law, including refugee law and human rights. A briefing from the [Modern Slavery Policy and Evidence Centre](#), sets out some ways victims of trafficking and slavery can challenge Rwanda removal action on the basis of human rights.

You may be protected if:

1. You're identified as a victim of trafficking or modern slavery

In the UK, the National Referral Mechanism (NRM) is a decision making process for identifying people who are victims of modern slavery or trafficking. Identification by the NRM could affect whether a survivor can be considered for removal action to Rwanda.

Being referred

If there are indicators or key signs of trafficking and exploitation in your case, you should be told about the NRM process and your rights in a language you understand, and asked if you provide consent to an NRM referral. An NRM referral can be made by professionals approved to do them, called first responders. A full list of first responders is [here](#). You can approach any type of first responder listed, including the police or Home Office for a referral, **but we recommend approaching a designated charity, as they will have the expertise to submit a better-quality referral.**

If you have not been referred to the NRM and do not have a lawyer, ask a first responder to make an NRM referral for you.

Always try to seek advice from your lawyer before entering the NRM and during the NRM process. Legal advice is crucial.

After NRM referral

After an NRM referral is made, the Home Office decides first if it is 'reasonable' to believe you have been trafficked then, in a second decision, whether the situation amounts to trafficking on 'conclusive grounds'.

You may be able to challenge Rwanda removal action if you have been referred to the NRM and are awaiting, or have, a NRM 'Reasonable Grounds' or 'Conclusive Grounds' decision. Survivors with a positive Reasonable Grounds decision should be protected from removal until either 30 days after the reasonable grounds decision or on the day the conclusive grounds decision is made, whichever is later (Nationality and Borders Act 2022, [Section 61](#)).

If you are exited from the NRM, you or your support worker may ask for an extension. You should only be exited if your **journey plan** has been completed and you are given a decision which deals with your **recovery needs** and **any risks of re-trafficking**. You can also ask to be re-entered into the NRM or Modern Slavery Victim Care Support Contract (MSVCC). These are all factors that your lawyer may need to raise in relation to any removal action or decisions regarding Rwanda.

2. Your human rights are at risk, including your right not to be re-trafficked

In these cases, you may be able to make a human rights claim. By law, the Home Office needs to consider whether there is a risk that you could be **re-trafficked or exploited** if you are removed from the UK including to Rwanda. If you have any form of NRM decision, or any Rwanda NOI or decision, you may argue that there is a risk you may be trafficked or re-trafficked if removed to Rwanda.

The ‘European Convention on Human Rights’ (ECHR), Article 4, prohibits slavery, servitude and trafficking and protects individuals at real risk of being vulnerable to exploitation, trafficking or revictimisation. In some cases, it could be recognised that having made an asylum claim could increase the risk of re-trafficking.

3. You are eligible for leave to remain or temporary permission to stay in the UK as a victim of trafficking

The Home Office should consider if you are eligible for **temporary permission to stay** as a victim of trafficking under UK law and human rights law. This will be on the grounds of **cooperation with a police investigation** or criminal proceedings, **bringing a compensation claim**, or your **personal situation** such as recovery needs.

I have been trafficked, but I can't talk about it

You are not alone. In a fair system, you would not be forced to speak about traumatic experiences before you are ready. Sadly, some survivors may still be subject to removal action, so providing information to your lawyer **as soon as possible** is very important.

At the bottom of this document is a list of some of the organisations which might be able to offer help while you share your experiences, including emotional support, peer-to-peer (survivor-led) services, and legal advice. Some organisations may have waiting lists in place, but the community is united and somebody somewhere wants to help you.

I'm not recognised by the NRM / my lawyer doesn't think I meet the definition of trafficking victim. How else could I be protected?

You may also be able to stop the removal to Rwanda if you can show “compelling evidence”, relating to your individual circumstances, that Rwanda is unsafe for you (Safety of Rwanda Act, Section 4(1)). Children, parents to children in the UK, and Rwandan nationals are also exempt. If you think you fall into any of these categories, make sure you share this with the person giving you legal advice.

ALWAYS REMEMBER:

- Seek legal advice as soon as possible. The decision making in this area can be fast and confusing and the law is difficult. Reach out to legal aid lawyers who specialise in human rights and immigration law and trafficking and provide free legal aid. Legal support is vital. (some law firms are listed below).
- Record as much information as you can about your experiences. Keep a log of key dates and timelines from your time in exploitation and your journey into the UK, along with any possible evidence that proves your timeline is correct (such as old receipts, texts, letters or appointment dates from doctors, or details you remember about settings you worked or lived).
- Tell your lawyer as many details as you can about your trafficking experience, immigration journey, and charities/volunteers/healthcare professionals you have been in touch with even if the details seem irrelevant. Write down information and provide it to your lawyer.
- Ask your lawyer questions if you are unsure about anything, you have a right to ask questions. You might ask for an update on your NRM decisions, how your information is being passed on, what options are open to you or what evidence you can give a lawyer to support your case
- Remember your needs outside of working on your immigration case if you can, including basics like getting a good meal or having someone to talk through things. We have listed some support services in the directory below.

Legal advice

- Duncan Lewis: 020 7275 2570 / toufiqueh@duncanlewis.com
- Wilsons LLP legal aid solicitors: 020 8808 7535 / rwandareferrals@wilsonllp.co.uk
- Simpson Millar: 08083041926 / contact@simpsonmillar.co.uk
- Leigh Day: 02076501200 / postbox@leighday.co.uk
- Turpin Miller: 01865770111 / office@turpinmiller.co.uk
- Birds Solicitors: 020 8874 7433 / info@birds.eu.com
- Anti Trafficking and Labour Exploitation Unit: 020 7700 7311 / advice@atleu.org.uk
- Joint Council for the Welfare of Immigrants: 0207 553 7472 (Mon, Tues, Thurs, 10am – 1pm) / info@jcwj.org.uk
- Bail for Immigration Detainees (BID): 020 7456 9750 (Mon-Thurs 10am - 12pm) / RwandaProject@biduk.org
- [For LGBTQ+ people affected] Rainbow Migration: hello@rainbowmigration.org.uk

General advice

- British Red Cross: antitrafficking@redcross.org.uk
- Refugee Council: 02073466700 / info@refugeecouncil.org.uk
- [People affected in London, Birmingham, Manchester or Bradford] Refugee Action's National Immigration Advice Service: info@refugee-action.org.uk
- Detention Action: 0800 587 2096 / casework@detentionaction.org.uk
- Detention visitor groups (various): A full list of detention centre visitor groups is available on the [AVID website](#)
- Praxis: 020 7749 7605 / admin@praxis.org.uk
- [Overseas domestic workers] Kalayaan: 02072432942 / info@kalayaan.org.uk

Peer-to-peer support

- Survivor Alliance: info@survivoralliance.org
- [For overseas domestic workers] Voice of Domestic Workers: info@thevoiceofdomesticworkers.com
- [For women] Women for Refugee Women's network: 07852 765193 / Dina@refugeewomen.co.uk
- [Online] Mind's 'Side by Side' network: <https://www.mind.org.uk/information-support/side-by-side-our-online-community/>

Emotional support

- NHS talking therapies: <https://www.nhs.uk/mental-health/talking-therapies-medicine-treatments/talking-therapies-and-counselling/nhs-talking-therapies/>
- Mind local groups: <https://www.mind.org.uk/about-us/local-minds/>
- Black Minds Matter: therapy@blackmindsmatteruk.com
- [For torture survivors] Freedom from Torture: www.freedomfromtorture.org/help-for-survivors/therapy-and-practical-help
- [Couples and families] Relate: <https://www.relate.org.uk>
- Samaritans: 116 123 / jo@samaritans.org

