



COM.&IN.

Competenze
per l'Integrazione

Migrazioni e modelli
di governance

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UK-ITALY DIALOGUE:

Learning from the Southern Italian Regions and UK experience in tackling modern slavery in the agricultural sector

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Fig. 1 – Shot taken an operator of the On the Road Association in the Rosarno’s informal settlement (Calabria).
Source: <https://www.consorzionova.it/lo-sfruttamento-dei-migranti-che-fa-comodo-al-sistema/>

Highlights of the interventions

Highlights of the interventions by:

- **Mark Heath**, Deputy Director of Business Change, *Gangmasters and Labour Abuse Authority* (GLAA)
- **Richard Ferrell**, Financial Intelligence Officer, *Modern Slavery & Human Trafficking Unit, National Crime Agency* (NCA)¹
- **Suzelle Dickson**, *Modern Slavery Unit, Home Office*²
- **Paul Williams**, Corporate Board Member, *Ethical Trading Initiative*
- **Francesco Carchedi**, Scientific Advisor, *COM.&IN. projects*

COM.&IN. – Competenze per l'Integrazione in Europa

COM.&IN. – Competenze per l'Integrazione in Europa is the European segment of other projects which go with the same name, i.e. *COM.&IN. – Competenze per l'integrazione*. The projects were launched by the Apulia Region in 2014 and are financed by the Home Office through the Asylum, Migration, and Integration Fund (AMIF). *COM.&IN.* aims to strengthen the capacity of the Institutions of five Southern Italian regions – Apulia, Basilicata, Calabria, Campania, and Sicily - to improve their management of immigration policies and ensure equal access and treatment in the social and healthcare services to both nationals and foreigners living, even temporarily, in one of the five regions.

Within this framework, *COM.&IN. – Competenze per l'Integrazione in Europa* meets the need of the civil servants and elected officials of the Italian regions to compare their working models and experiences with those of other European regions in order to better integrate services to support the social and economic inclusion of third-country nationals: meetings and exchanges of good practices, which are essential for analysing and evaluating different intervention models that can inspire the Italian partners.

Labour exploitation in agriculture has been on the Italian agenda for quite a long time. The meeting with the Heads of the *Gangmasters and Labour Abuse Authority* (GLAA)³ and with some of its partners focused precisely on the governance models put in place in Wales and England to combat this very peculiar form of labour exploitation.

¹ <https://www.nationalcrimeagency.gov.uk/>

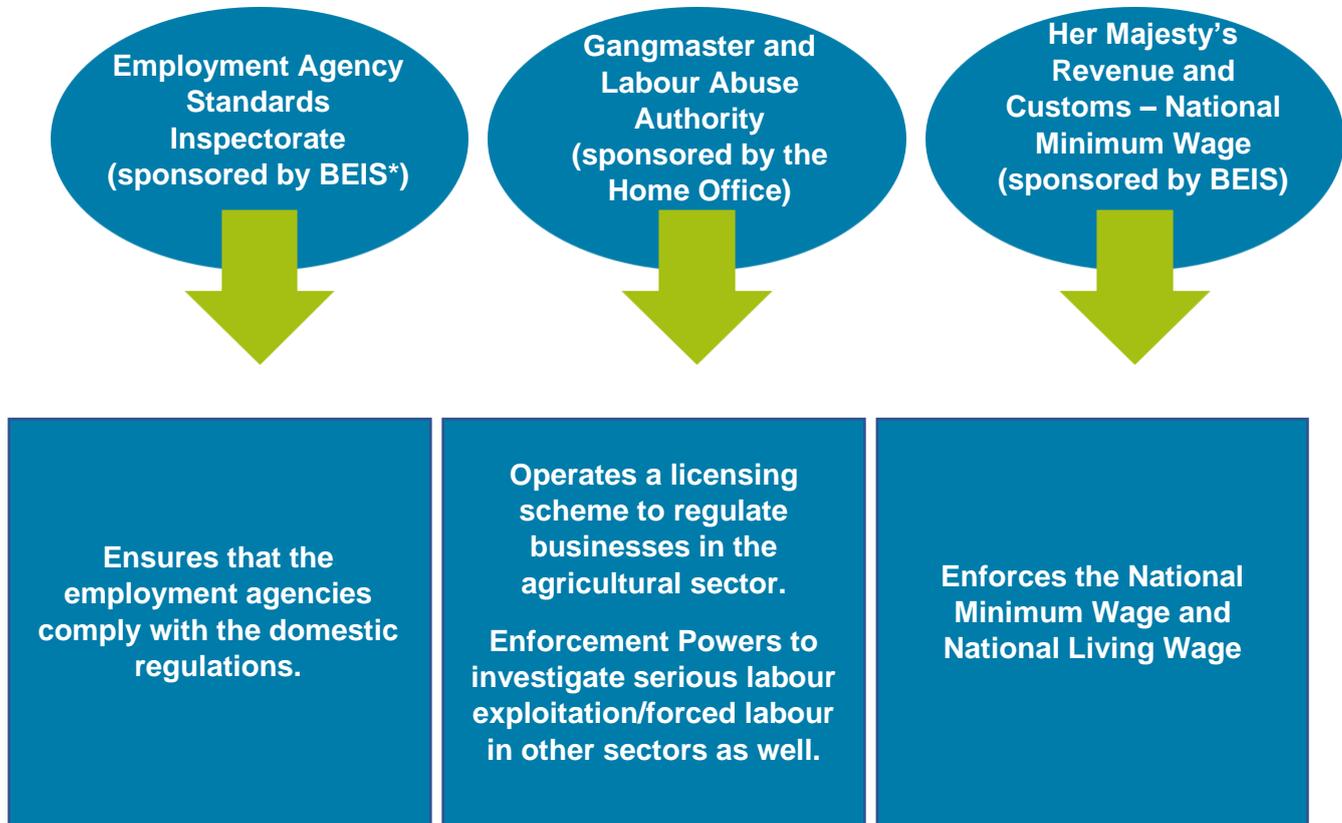
² <https://www.gov.uk/government/organisations/home-office>

³ <https://www.gla.gov.uk>

GLAA, NCA and the Modern Slavery Unit of the Home Office

Highlights of the interventions by *M.Heath, R. Ferrell* and *S. Dickson*

There are three main enforcement bodies in the U.K. that use a range of sanctions and powers to enforce specific employment rights and tackle labour exploitation:



**BEIS, Department for Business, Energy and Industrial Strategy of the Government of the United Kingdom*

The UK legislative approach to tackle labour exploitation:

- **2015 - Modern Slavery Act (MSA).** The Law defines the concept of exploitation, including forced labour, and gives legal tools to tackle offenders. The MSA appointed an Independent Anti-Slavery Commissioner to drive work forward domestically and internationally and to connect the different Agencies working on this issue. It requires businesses to report annually on the steps taken to prevent modern slavery/forced labour in supply chains; it establishes the criteria for victims' compensation; it gives the possibility to organize information and communication campaigns to raise citizens' awareness.
- **2016 – Immigration Act.** It Introduced new measures to tackle labour exploitation. It established the role of Director of Labour Market Enforcement to bring focus and strategic co-ordination across the three main enforcement bodies and for developing an annual labour market enforcement strategy. The 2016 Immigration Act widened the remit of the GLAA giving it new police powers enabling it to investigate serious labour exploitation, including forced and compulsory labour across all sectors of the economy. It also introduced new tools for the enforcement bodies to deal with persistent or deliberate offending – Labour Market Enforcement Undertakings and Orders.

According to the *National Referral Mechanism*⁴ Report, in 2018, 6,993 potential victims of over 100 different nationalities were detected (42% of them were children). The main countries of origin are – in descending order – Albania, Vietnam, China, Nigeria, and Romania. Data report 2,320 potential victims between April 1st and June 30th, 2019, a 40% increase compared to the same quarter of 2018.

As identified in the Director of Labour Market Enforcement Strategy 2019-2020, the high-risk sectors for labour exploitation are: car washes, agriculture, care, construction, hospitality, shellfish gathering, nail bars, poultry and eggs production and distribution, warehouses and distribution centres. Many of these workers do not receive the National Minimum Wage and some of them are victims of modern slavery.

The *Gangmasters and Labour Abuse Agency (GLAA)* was founded in 2005, after the tragedy of the Bay of Morecambe on February 5th, 2004, where 23 Chinese workers died while gathering shellfish.

The Agency is designed to protect the most vulnerable, meaning those workers more at risk of exploitation, fight the trafficking of human beings and clandestine or illegal work, and enforce the national laws on minimum wage and safety in the workplace. The GLAA was created specifically to address labour exploitation in agriculture and associated processing/packaging activities.

The tool designed to ensure compliance with the law is a compulsory **license** for all those who work in the food and agriculture sector. The license, issued by GLAA, attests that the holder abides by the legislation regulating health, safety, housing, salary, transport, and training of workers as well as paying taxes, VAT included, and contributing to the National Insurance⁵.

To date, around 350,000 licences have been issued and are constantly under scrutiny. In case of non-compliance, the perpetrator faces heavy fines and sanctions which, in the case of labour suppliers, may become criminal charges.

This system has proved successful in several respects: workers are treated correctly and in line with their rights while labour suppliers can easily control the fairness of their competitors; employers can be sure of whether their workers have been hired lawfully or not; consumers are assured that the food they buy has been collected and packaged in an ethical context. Finally, it reduces the loss of State resources as it helps collecting more income taxes, more VAT, more contributions to the National Insurance. GLAA's work would be incomplete without the coordination and

⁴ Introduced in 2009 to meet the U.K.'s obligations under the Council of European Convention on Actions against Trafficking in Human Beings, the *National Referral Mechanism* (NRM) is a framework for identifying victims and ensuring they receive the appropriate protection and support. To learn more: www.modernslaveryhelpline.org and <https://www.nationalcrimeagency.gov.uk/>

⁵ The National Insurance (NI) is a fundamental component of the welfare state in the United Kingdom. NI contributions entitle to certain state benefits for workers and their families such as State Pension, Maternity Allowance, or reductions for social and health services.

cooperation with two other Agencies: the *National Crime Agency (NCA)* and the *Modern Slavery Unit of the Home Office*.

The Home Office appoints the GLAA Chair and Board members and works with the Agency to set its budget and provide appropriate resources and support. The Home Secretary and Minister for Crime, Safeguarding and Vulnerability signs off the Business and Strategic Plans.

It cooperates with GLAA to set the operational direction, to agree and monitor performance targets, and explore and implement operational policy changes. Lastly, the Home Office oversees and acts as an intermediary with the Director of Labour Market Enforcement.

The *NCA*, on its part, is responsible for the fight against organized crime, supporting GLAA's work through its Special Unit against trafficking of Human Beings and Modern Slavery.

“GLAA are our eyes and ears into locations that we cannot get into...”

“...victims of labour exploitation are often more willing to come forward and disclose their experience with GLAA officers who are not ‘police’ to be afraid of, since offenders often scare victims with fake stories of police corruption”.



Fig. 2 – *The UK Government estimates that around 13,000 people lived in modern slavery in 2018.*

Source: <https://www.edie.net/news/7/UK-fashion-retailers-and-law-enforcement-agencies-to-partner-on-tackling-modern-slavery/>

Of great importance is the steady exchange of information granted by the *Joint Slavery and Trafficking Analysis Centre* (JSTAC), allowing the creation and update of a series of *Red Flag Indicators* that are published in the Alert Report. Here are a few:

- There will be multiple people living at the same property, often in East London, which defies the size of the property.
- The controller is likely to receive credits from employers/recruitment agencies/payroll services into one account, which is often a personal account used for business activity. Sums will be for common wage sums, often with the employer's name.
- The controller will also see wage receipts from companies in different industry sectors (construction, cleaning, and hospitality) as they diversify the victims and exploit both males and females.
- The controller's account will then disseminate funds to several individuals, often for a round amount, for example, £500 or £300.
- The payment remitted may have a reference that suggests that they have originated from a different location such as the construction company which is often withdrawn in cash.
- The controller will look to withdraw funds via ATMs from multiple victim's accounts at the same time

*The dialogue continued with **Paul Williams**, Corporate Board Member of **Ethical Trading initiative**⁶*, an organization based in Great Britain and that for over 20 years operates in partnership with big, medium-sized and small enterprises, suppliers, trade unions, NGOs, and governments that want to ensure adequate protection of workers throughout the production and distribution chains. In the case of agricultural production, protection is ensured starting from the ethical purchase of the products still to be picked and continues throughout the stages of harvesting, packaging, delivery, and distribution.

ETI has developed and bases its work on a Base Code, founded on the Conventions of the International Labour Organisation (ILO). The Code is internationally recognised as a good labour practice. It is viewed as a global reference standard and is widely used as a benchmark against which to conduct social audits and develop ethical trade action plans.

“There are limits to what companies can achieve by working alone. ETI members work in partnership to find solutions to the problems that occur in individual workplaces, but that also affect entire countries and industries”.

Peter McAllister, Executive Director, ETI

Paul Williams focused on how tomatoes are collected in Italy which by now has become an important ethical issue in the northern European countries. In 2007, following news from the mainstream media about the illegal system of “Caporalato”⁷ as the main instrument to hire daily agricultural workers, ETI started a working group on the Italian

⁶ www.ethicaltrade.org

⁷ Caporalato (def. Illegal gangmastering). For further details, see the following intervention by F. Carchedi.

agriculture. The day was closed by ***Francesco Carchedi*** who, on behalf of the project's partners, gave some data on labour exploitation in agriculture in the 5 Italian southern regions. Data that are essential to understand the scale of the problem.

Of the 123,000 farm workers employed in the five regions, about 40,000 do not have a contract, while almost 53% (amounting to nearly 87,000) receive lower remuneration than that provided for in regular employment contracts⁸.

Data collected by the trade unions⁹ estimate the irregular foreign presence in at least 40/48 thousand units to be added to the official ones, 14.4% of whom reside in makeshift housing or slums during the main harvesting periods.

This situation is the result of the gap between the demand for farm workers and the absence of low-rent housing. These settlements, lacking any kind of infrastructures such as roads, water, or even electricity, are characterised by extreme precariousness and promiscuity carrying with it widespread illegality, pervasive presence of parasitic micro-powers, abusive relationships, forms of intimidation, social deprivation, labour exploitation. Given this situation, the presence of "Caporali", who monopolise labour supply in the agricultural sector (with fringes of sexual exploitation) and sometimes commit violent crimes, is not surprising.

Carchedi then went on to highlight some useful priority interventions to overcome the condition of hardship and exploitation these workers endure:

- Strengthening labour services, such as Public Employment Centres, which, at least in the southern areas, are highly inefficient and leave the matching between labour demand and supply to third figures, often a "Caporale"
- Improving the transport system for connecting workplaces to homes, which is now largely guaranteed by the "Caporali"
- Improving the housing conditions of workers through social housing initiatives, via the use of housing located in villages largely uninhabited (modelled on the Municipality of Riace, in Calabria or San Severo near Foggia).

⁸ Farmworkers without a contract receive approx. 350 euros per month against 1,250 euros provided for by a regular contract (Source: Ministry of Labour)

⁹ Federazione Lavoratori Agrindustria, Flai/Osservatorio P. Rizzotto, *IV Rapporto Agromafie e caporalato*, Rome, 2018, in Italian (www.flai.it)

The discussion – a few points for reflection

For comparing the governance of labour exploitation in agriculture in the United Kingdom and Italy, we should bear in mind that the British system counts on the successful collaboration of several entities while the Italian system refers primarily to the *Law 199/2016 (Provisions on the fight against undeclared work, labour exploitation, and salary realignment in the agricultural sector)*, considered a good regulatory tool by most experts, which needs to be strengthened and enforced in full.

Analysing the tools and the institutions or Agencies working against labour exploitation in the two countries at the national level, they do not seem to differ much. GLAA has the same (or almost) powers as the Italian *Ispettorati del Lavoro (Trad. Labour Inspectorates)*, and NCA is very close to the Italian police forces, *Carabinieri* included. The difference lies perhaps in the instruments put in place to coordinate and ensure collaboration between the various agencies. It should be kept in mind, however, that the Italian regions have no power for repressive actions. Their task is rather that of removing the causes of poverty and preventing the social exclusion of all those who live on their territory, including migrants.

The Italian participants discussed the potentiality offered by a more in-depth study and comparison of three good practices: the **licencing system** of the Gangmaster Labour Abuse Agency, the **Ethical Code** of Ethical Trading Initiative and the **Network of Quality Agricultural Work** established by the 2016 Italian Law against labour exploitation. A study that could improve the three practices but would need the involvement of the Italian State institutions and that of the Regions to be effective.



Fig. 3 – Foreign agricultural workers in an informal settlement in Southern Italy. Medu's Picture (13/01/2021).

Source: https://calabria.integrazione.org/eloquenti-geografie-undici-anni-dopo-la-rivolta-di-rosarno/?utm_source=partner&utm_medium=footer&utm_campaign=nova_feed&utm_content=article_footer