

A 'PLACE' FOR STATELESS PEOPLE? CONNECTING PLACE-BASED RESEARCH WITH STATELESSNESS

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This symposium contribution presents something of a paradox: what can techniques that are designed to address policy and practice in a particular space offer to researching the issue of statelessness? Statelessness, after all, is often characterised as a condition of legal and sometimes physical limbo. Connections between statelessness and forms of contemporary slavery also tend to focus on the ramifications of movement. For example, the trafficking of people across borders results in many people losing evidence and benefits of citizenship, at least temporarily. In cases where people are exploited by members of their own family or by organised gangs operating within their own community, the ability to return to their home nation may be severely compromised. As a foreign national in the United Kingdom, being without a 'conclusive grounds' decision in regard to your claim of modern slavery can be detrimental to your case for asylum,¹ leaving you effectively stateless.

However, if we want to address the challenges faced by individuals in respect to statelessness, it is also valuable to understand the personal, local, cultural, legislative and structural context in which those issues occur. Place-based approaches provide a framework for this synthesis. The British Academy describes place-based policy-making as 'aligning the design and resourcing of policy at the most appropriate scale of place, in order to develop meaningful solutions, which improve people's lives'.² The optimal size and scope of any place-based initiative can vary, but relate to the nature of the problem and to resources, institutions, assets and communities that contribute to improving outcomes. Place-based research, policy-making and activism are often developed

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¹ Potential victims of modern slavery are offered support through the National Referral Mechanism ('NRM'), whilst a determination is made on whether they have experienced exploitation (conclusive grounds). Although this determination does not lead to automatic qualification for further benefits, it has been noted by non-governmental organisations that negative conclusive grounds decisions can impact on the success of asylum claims. Of the 10,627 people who were referred to the NRM in 2019, almost 80% were still awaiting a decision on their case by 10 February 2020 (when official end of year statistics were collated): *National Referral Mechanism Statistics: UK, End of Year Summary, 2019* (Report, Home Office 2020) 3, 5–6 <<https://www.gov.uk/government/statistics/national-referral-mechanism-statistics-uk-end-of-year-summary-2019>> ('2019 NRM End of Year Summary').

² 'Where We Live Now: Making the Case for Place-Based Policy', *British Academy* (Web Page) <<https://www.britac.ac.uk/tag/where-we-live-now>>.

in response to complex social problems with the aim of achieving transformation.³ This approach may be targeted at specific population groups or communities, or concentrate on a particular issue in a given location. ‘Place’ may also be thought of not just as a material concept, but also as the product of social relations, networks and the integration of global and local influences. It is constructed through time, and contested through power relations, creating an arena for debate, conflict and co-production.⁴

Much antislavery activity in the UK is now delivered by local place-based partnerships, which bring together statutory and non-statutory stakeholders across a defined area to offer a wide spectrum of prevention activity, awareness raising and survivor support. While the approach to modern slavery in the UK has been dominated by a criminal justice framing at the national level, partnerships at the local level enable a more nuanced response, which can incorporate attention to the wider ‘social determinants’ of modern slavery including societal drivers for exploitation, legislative and structural barriers to assistance, and community and corporate responsibilities in response to the problem. Place-based responses also offer a forum to engage a wider cross-section of voices — including those directly affected by exploitation — towards identifying solutions and assets that can help individuals and communities to flourish. We can illustrate this in more depth through considering a case study of the development of place-based antislavery action and research in Nottinghamshire, a county in the Midlands of the UK.

I RESEARCH AND ACTION TOWARDS A ‘SLAVERY-FREE’ COMMUNITY

The aspiration to create a slavery-free Nottinghamshire grew out of Kevin Bales and Ron Soodalter’s book *The Slave Next Door*,⁵ which describes potential tactics for local services and community leaders to address modern slavery. In early 2017, a multi-agency partnership including the police, representatives of local councils, labour inspectors, faith leaders, the local Chamber of Commerce and non-governmental organisations (‘NGO’) began assembling an action plan for a unified local response to the issue.⁶ The initial strategy incorporated a media campaign engaging political and civic leaders; public awareness-raising initiatives; funding to train statutory and voluntary-sector staff working in public-facing services; joint enforcement operations; action to develop transparency statements for public bodies; and efforts to improve services for victims and survivors. The University of Nottingham’s ‘Rights Lab’⁷ became involved with this work in various pragmatic ways including offering practical support in hosting meetings, bringing relevant academic findings to meetings, contributing to training and undertaking discrete research projects. The University also worked with a survivor leader and incoming PhD student, Minh Dang, to incubate and

³ Grenni Sara, Katriina Soini, Lummina Horlings, ‘The Inner Dimension of Sustainability Transformation: How Sense of Place and Values Can Support Sustainable Place-Shaping’ (2019) 15(1) *Sustainability Science* 411.

⁴ Lummina Horlings et al, ‘Exploring the Transformative Capacity of Place-Shaping Practices’ (2020) 15(2) *Sustainability Science* 353.

⁵ Kevin Bales and Ron Soodalter, *The Slave Next Door* (University of California Press 2009).

⁶ The UK Government had passed the *Modern Slavery Act* in 2015, and the issue gained increased political salience when Theresa May became Prime Minister in July 2016, declaring modern slavery a key focus of her premiership. See Alison Gardner, ‘An Idea Whose Time Has Come’ (2018) 10(3) *Journal of Human Rights Practice* 461, 468.

⁷ For further information, see ‘Rights Lab’ *University of Nottingham* (Web Page) <<https://www.nottingham.ac.uk/research/beacons-of-excellence/rights-lab/index.aspx>>.

support a new NGO, Survivor Alliance.⁸ The Alliance contributed survivor perspectives to local research and practice, and organised local awareness-raising events and training to empower survivors to become leaders in local antislavery work.

The developing work surfaced a number of tensions between the UK's national and local antislavery action, showing how local partnership work in relation to prevention, enforcement and recovery could be constrained by other aspects of national policy and legislation. This was true for a range of policy areas, including austerity policies and homelessness, but particularly the UK's stated policy of creating a 'hostile environment' against irregular migration.⁹ For example, research into media campaign impact found that reporting of suspected cases by the public could be negatively impacted by a concern from (otherwise sympathetic) observers not to make the situation for irregular migrants worse by drawing attention to their ineligibility to work in the UK.¹⁰ In addition, community cohesion was an important part of the local context. One local case of exploitation had been allowed to continue in plain sight on a housing estate due to a lack of interaction and understanding between migrants and the local resident population.

The 'hostile environment' could also impact on victim care and prosecution of cases, which were closely interconnected. Action research with regional antislavery practitioners revealed that the threat of immigration enforcement could be a strong barrier to gaining the trust of witnesses, with good cause. In some cases, victims were deported mid-way through investigations or left without any recourse to public funds, disrupting both their personal wellbeing and their ability to co-operate with police. Research evidence also emerged that refugees and asylum seekers in the Midlands were struggling to access essential health services, even when they possessed an entitlement to do so.¹¹ Barriers included misapprehensions about entitlements by key gatekeepers such as doctors' receptionists.

The local business regulatory environment was a further important sphere of action, as in this region the majority of businesses were small and medium sized and not covered by the provisions of the *Modern Slavery Act 2015* requiring transparency in supply chains. In general, regulation governing small scale enterprises tended to be minimal and poorly resourced. Some industries, such as hand car washes and nail bars, were frequently identified as sources of employment for irregular migrants, and sites of labour and health and safety violations. In this case, researchers were able to work with local and national statutory and faith partners to investigate the extent of problems, present evidence to parliamentary inquiries, and suggest design improvements to a widely-used reporting app.

II ADVANTAGES OF PLACE-BASED WORKING

The brief sketch above highlights some key advantages to researchers of place-based working that may also be relevant and transferrable to the issue of

⁸ See *Survivor Alliance* (Web Page) <<https://survivoralliance.org/>>.

⁹ The provisions that constitute this 'hostile environment policy' can be found in the *Immigration Act 2014* (UK) and the *Immigration Act 2016* (UK).

¹⁰ Jen Birks and Alison Gardner, 'Introducing the Slave Next Door' [2019] *Anti-Trafficking Review* 66.

¹¹ Coral J Dando et al, 'Health Inequalities and Health Equity Challenges for Victims of Modern Slavery' (2018) 41(4) *Journal of Public Health* 681.

statelessness. First, place-based working enables the co-design of a shared research agenda alongside partners, which provides many opportunities for relevant, iterative and impactful research. Challenges also emerge in straddling the line between research and action, for instance defining realistic projects, setting appropriate ethical boundaries, clarifying the ‘boundary’ position and contribution of the researcher, identifying suitable resources and delivering on a timescale to suit policymakers. Not every local project will be successful, and research design focussed on specific areas needs also to consider issues of wider generalisability. However, place-based working facilitates the growth of stronger long-term relationships and ongoing two-way diffusion of knowledge which can benefit both academics and partner agencies.

Second, place-based working enables the development of a systemic perspective, which can assist researchers and practitioners in envisaging how multi-layered influences combine dynamically in ways that are particular to person and space. Place-based working allows us to map key actors within a system and understand their complementary roles and how they overlap, as well as identifying systemic gaps. Again, systems will vary from place to place, particularly in terms of actor relationships and institutions working at the grassroots level, but our action research with practitioners has shown that issues such as pressures on resources and experiences of central to local power dynamics are often shared across contexts.

Third, place-based work underlines how the lived-experiences of survivors can be incorporated to co-produce some of the solutions needed. Survivors hold key information that can be used to help the police to disrupt modern slavery activities. This improves the ability of communities to spot the signs of slavery, allows frontline staff to discover and free more people from positions of exploitation, and aids statutory service providers and NGOs in significantly enhancing the support that is provided to survivors. With the majority (73 per cent) of survivors referred to the National Referral Mechanism being non-UK nationals¹² the value of ‘stateless’ survivor voices to the successful delivery of a slavery-free community is considerable.

Lastly, place-based working enables the identification of assets as well as deficits within systems, helping to identify solutions. Our recent work has focussed on establishing the factors underpinning resilience against exploitation in communities, drawing upon eco-systems research from the late twentieth century¹³ to propose an adaptive cycle of anti-slavery resilience.¹⁴ Unlike approaches that focus solely on risk or vulnerability, the adaptive cycle takes the identification of vulnerabilities as a starting point to diagnose areas for change, and goes on to sense-check the diagnosis by incorporating community and survivor voices into the conversation. In turn, this creates momentum to challenge cultural practices and institutions that permit exploitation to continue and puts pressure on local and national policymakers to enact the policy and legislative changes needed to normalise and sustain resilience. Localities will not always be able to push back against significant legislative or structural influences that cause

¹² 2019 NRM End of Year Summary (n 1).

¹³ C S Holling, ‘Resilience of Ecosystems: Local Surprise and Global Change’ in William C Clarke and R E Munn (eds), *Sustainable Development of the Biosphere* (Cambridge University Press 1986) 292.

¹⁴ Alison Gardner, Phil Northall and Ben Brewster, ‘Building Slavery Free Communities: A Resilience Framework’ (2020) *Journal of Human Trafficking* (forthcoming).

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disadvantage and discrimination, but they are often able to mitigate those issues and advocate for change. Place-based working provides the ideal context for that goal.

To conclude, place-based approaches offer the opportunity to establish an ethos in which stakeholder and community engagement become integral to research rather than an instrumental aspect of data collection or dissemination. When our research is embedded with local institutions we become part of the place-story and it becomes easier to construct research projects with and for communities, rather than about them. However, this also implies a much more engaged and sometimes uncomfortable role for the researcher, who becomes part of the 'asset' matrix themselves. This may at times generate a need to move away from research approaches that demand objective distance and reward information extraction towards accepting our responsibilities as a leader or coordinator for action. It is also patient work, which requires sustained engagement to build trust and relationships that can deliver benefits for both researchers and researched over the long term. For those caught in the loneliness of statelessness, this is surely one of the most valuable offerings academics can make.