

# Anti-trafficking Chains: Analyzing the Impact of Transparency Legislation in the UK Construction Sector

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*A recurring conundrum lies at the heart of current anti-trafficking law and policy. Despite enormous efforts by civil society organizations, corporations, and governments to reduce human trafficking in supply chains, and the introduction of legislation in various countries that requires corporations to take active actions in this field, there is wide agreement that, so far, the desired change has not occurred. This article addresses this puzzle through studying the vibrant anti-trafficking activity in the UK construction sector that emerged following the enactment of the UK Modern Slavery Act 2015 (MSA). Applying socio-legal methods, the article unpacks the structural dynamics that shape the implementation of the MSA in the construction sector. We find that the Act exacerbates the imbalanced power relations between firms and anti-trafficking initiatives, positioning the latter as suppliers of modern slavery risk solutions that are dependent on corporate will and funding. The article demonstrates that anti-trafficking initiatives in the construction sector largely follow a “supply chain logic” that significantly limits their capacities to transform corporate behavior. We develop the notion of “anti-trafficking chains” to describe the dynamics of anti-trafficking activities in supply chains and to problematize the entanglement of anti-trafficking actors in supply chain power structure and logic.*

## INTRODUCTION

Over the last two decades, the world has declared its commitment to combating human trafficking and modern slavery.<sup>1</sup> A relatively new tool in the international anti-trafficking arsenal is corporate transparency legislation: laws that require some corporations to publicly disclose their actions to address human trafficking or, more

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1. There is intense debate around the terminology used to describe severe forms of labor market exploitation. While the term “modern slavery” is now favored by many legislators and scholars, others argue against its use because it limits our understanding of the exploitation spectrum and the nuances of coercion that it entails (Chuang 2014; Fudge 2018). Accordingly, in this article, we mostly use the term “human trafficking” unless we are referring to others’ use of “modern slavery.”

widely, modern slavery. As such, transparency legislation aims to induce corporations to act against severe forms of labor-market exploitation in their supply chains by enhancing market-based forms of supply chain governance. In this article, using socio-legal methods, we analyze the effects of transparency legislation by unpacking the power relations and dynamics embedded in the process of implementing transparency legislation. We explore the operation of section 54 of the UK Modern Slavery Act 2015 (MSA), one of the leading pieces of legislation in this field, using the UK construction sector as our main case study.<sup>2</sup> We thereby seek to contribute to the study of the structural barriers and challenges facing the operation and implementation of transparency legislation.

Section 54 of the MSA includes a requirement that businesses operating in the United Kingdom with an annual net turnover of at least thirty-six million British pounds publish a yearly slavery and human-trafficking statement, stating what measures the organization has taken to ensure that modern slavery is not occurring in their business or supply chains. Critical transparency legislation literature in the context of the MSA points to several of its main flaws, notably the minimal requirements for corporations to prove any actual advances; the lack of real incentives for corporations to take effective action (or responsibility) to tackle human trafficking; and the lack of any requirement for the establishment of enforcement mechanisms, which, together with the lack of sanctions, has resulted in low rates of compliance with the Act (Wen 2016; Simic and Blitz 2019; Le Baron 2020; Sarfaty 2020; Hsin et al. 2021; Harris and Nolan 2022; Fudge, *forthcoming*). Within this burgeoning body of research analyzing the MSA's flaws, the intricacies of the responses to it, and the mechanisms that lead to low compliance rates and to its limited impact, few studies focus on the ways in which it is accepted, implemented, and operated on the ground by different actors (Sarfaty 2020; Monciardini, Bernaz and Andhov 2021; Islam and Van Staden 2022; Gutierrez-Huerter, Gold and Trautrim 2023). In this article, we seek to contribute to these studies and further theorize the understandings they offer by exploring power relations and institutional dynamics embedded in the process of implementing the MSA in the UK construction sector.

Construction is a major economic sector in the United Kingdom that is infamously exploitative and prone to trafficking (Crates 2018; Focus on Labour Exploitation 2018; Guilbert 2018; Unseen Modern Slavery and Exploitation Helpline 2023). Anti-trafficking efforts to address severely exploitative working conditions and the sector's response to the MSA have been the focus of relatively few studies (Russell, Jaquetta, and Roland 2018; Crane et al. 2019; Gaur and Vazquez-Brust 2019; Trautrim et al. 2020; Locatelli et al. 2022; Gutierrez-Huerter, Gold and Trautrim 2023). Most of the research on anti-trafficking in the UK construction sector is grounded in business and management scholarship, while the socio-legal perspective has been somewhat neglected (though see Monciardini, Bernaz, and Andhov 2021). This article seeks to address this gap, through an analysis of "the law in action" that is based on the understanding that laws and regulatory measures are social and political phenomena and, more specifically, that anti-trafficking legislation and its implementation are socially and institutionally embedded. We explore the ways in which corporate actors in the UK construction sector engage with anti-trafficking initiatives and professional

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2. Modern Slavery Act 2015 (UK), c. 30 (MSA).

services geared toward assisting corporations to comply with the MSA and address human trafficking in their supply chains. In more general terms, by employing a socio-legal perspective, we seek to advance our understanding of the structural and institutional influences affecting the ways in which the legislation operates on the ground (“in action”) and the mechanisms that shape its impact.

The response of the construction sector to the MSA, as a case study, highlights the imbalanced power relations between anti-trafficking initiatives and lead firms. It demonstrates that anti-trafficking initiatives offer anti-trafficking services and solutions to corporate headquarters with a focus on perceived corporate needs to ensure compliance with the Act. Consequently, anti-trafficking initiatives in supply chains may function as tier-one suppliers rather than disruptors or reformers. In recent years, especially following the enactment of the MSA, there has been a proliferation of anti-trafficking activities in supply chains operated by different actors, including non-governmental organizations (NGOs), state agencies, for-profit service providers, and multi-stakeholder and cross-sectoral initiatives. We refer to the web of anti-trafficking actors, activities, and initiatives in supply chains as an “anti-trafficking chain.”

Anti-trafficking chains are typically characterized by the involvement of various types of actors, including private, public, for-profit, and non-profit, resulting in a diverse structural composition. Therefore, assessing the extent to which different actors impact the effectiveness of anti-trafficking chains on corporate behavior poses an empirical challenge. However, the use of chain terminology helps in overcoming aspects of this challenge by guiding a structural examination of how anti-trafficking efforts operate *vis-à-vis* and within supply chains, underscoring the nature of the flow of power and control within the anti-trafficking chain and, specifically, the degree to which lead firms engage with anti-trafficking efforts. Furthermore, it highlights that the mode of operation of anti-trafficking actors is shaped by the structural power relations and dynamics inherent to supply chains as well as the actors’ specific position within the chain.

This perspective builds upon and extends theorizations of the political role played by external professional, expert, and regulatory intermediary bodies in the implementation processes of corporate responsibility regulations, guidelines, and standards. Accordingly, our analysis stems from understanding anti-trafficking initiatives as service providers within, rather than as external actors to, supply chains. Such an approach sheds light on the structural conditions within which anti-trafficking initiatives function as translators that model the law’s requirements into corporate action via quantifiable measures (Sarfaty 2020), shape standards to legitimize corporate behavior (Fransen and LeBaron 2019), or exert discursive power as expert authorities (McVey 2022). The analysis presented in this article aims to illustrate that comprehending the limited impact of anti-trafficking chains requires an exploration of the nature of their interactions with supply chains and an examination of the structural conditions within which they operate. Based on this understanding, we suggest that, despite the influence of anti-trafficking activities as translators of the law, their capacity to catalyze meaningful change in corporate behavior is affected by the dynamics and power relations within the anti-trafficking chain and with lead firms. In the context of the case analyzed in this article, the notion of an “anti-trafficking chain” focuses on the MSA’s impact on corporate action and the turn to a new set of suppliers induced by the Act as crucial factors for analyzing the implementation, operation, and compliance of transparency legislation.

The article proceeds as follows: following this introduction, in section 2, we discuss the development of different approaches and tools to combat human trafficking, situating anti-trafficking corporate social responsibility (CSR) initiatives and transparency legislation within these developments, while reviewing their shortcomings in facilitating structural change. In section 3, we present our socio-legal approach and describe how we use it to research power dynamics in the implementation of transparency legislation and the methods we employed. Section 4 introduces the main features of the UK construction industry, charts the reasons workers in the sector are particularly vulnerable to modern slavery, and outlines the supply chain structures that characterize it and describe the anti-trafficking chain created in the sector following the enactment of the MSA. In section 5, we analyze the anti-trafficking chains that have developed in the construction sector, and the structural conditions and dynamics within which anti-trafficking initiatives in UK construction supply chains operate. Specifically, we map the way in which the anti-trafficking industry follows “supply chain logic” and explain how that impacts and limits its effectiveness. Finally, we conclude in section 6 with a discussion of the problems that the institutional positionality and power dynamics of MSA-inspired anti-trafficking efforts create and chart possible strategies to overcome them.

## THE EVOLUTION OF THE GLOBAL RESPONSE TO HUMAN TRAFFICKING IN SUPPLY CHAINS

Over the last decade, actors in the human-trafficking policy realm have paid greater attention to the role of businesses in severe forms of labor market exploitation, particularly the role of lead firms in the governance of supply chains (Gutierrez-Huerter, Gold, and Trautrim 2023). The turn toward business led to a convergence of two robust human rights agendas being pursued to transform global markets: international and national attempts to address human trafficking, on the one hand, and private and voluntary CSR initiatives of corporations, on their own or together with other private or public actors, on the other hand.

### Human-trafficking Law and Policy

Human trafficking has drawn significant public and academic attention in the past two decades. Since the adoption of the United Nations Palermo Protocol in 2000, and the enactment of the US Trafficking Victims Protection Act (TVPA) that same year, 169 countries around the world have adopted laws to reflect their commitment to end human trafficking (United Nations Office on Drugs and Crime 2020, 61).<sup>3</sup> In these legal instruments, trafficking was defined for the first time. Today, “human trafficking”

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3. Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime, November 15, 2000, 2237 UNTS 319, <https://www.ohchr.org/en/instruments-mechanisms/instruments/protocol-prevent-suppress-and-punish-trafficking-persons> (Palermo Protocol); Trafficking Victims Protection Act, October 28, 2000, 114 Stat. 1164.

refers to a wide range of severe forms of labor exploitation beyond exploitation in the sex industry, of all genders and ages, within the same country or across borders, and resulting not merely from force, fraud, threats, and coercion but also from “abuse of power or of a position of vulnerability” (Gallagher 2010).<sup>4</sup> While the exact interpretation and implementation of this definition in different national legal systems remains contested, there is agreement that a large percentage of human trafficking occurs in domestic and global supply chains (LeBaron 2020). The global response to human trafficking, following the Palermo Protocol, is known as the “3P’s” approach: prosecution, prevention, and protection. Prosecution emphasizes the criminalization and prosecution of offenders and criminal law enforcement; prevention is mostly translated to strict border controls; and protection is understood as the provision of *ex post* human rights assistance to identified victims of trafficking (Shamir 2012; Raigrodski 2015; Chuang 2017; Simmons, Lloyd, and Stewart 2018; Van Dyke 2019; Aaronson and Shaffer 2021).

Significant resources are dedicated to anti-trafficking work globally. A modest estimate is that in the past decade more than US \$120 million was spent annually on funding anti-trafficking activities by countries in the Organisation for Economic Co-operation and Development (Dottridge 2014, 5). Despite the commitment and resources dedicated to the issue, there are no clear signs that human-trafficking numbers have decreased globally (United Nations Office on Drugs and Crime 2020), and recent estimates suggest an increase (International Labour Organization 2022). The International Labour Organization’s (2022) report, *Global Estimates of Modern Slavery*, found that approximately 49.6 million people were living in modern slavery in 2021. Of the 27.6 million people in forced labor, 17.3 million are exploited in the private sector (International Labour Organization 2022). Yet, in 2021, only 90,354 were identified as victims of trafficking worldwide (US Department of State 2022, 62). Indeed, an understanding is emerging among scholars and policy makers that the traditional tools used to combat human trafficking fall short in contending with the phenomenon (Dottridge 2014; Nolan 2018; Fudge 2021; Mantouvalou 2021; International Labour Organization 2022).

Arguably, these shortcomings are due to traditional anti-trafficking tools failing to address structural conditions of contemporary labor markets and supply chains that enable severe forms of labor market exploitation (Skrivankova 2010; Niezna 2022; Fudge, *forthcoming*). Rather, global efforts focus on individual victims and individual perpetrators, along with intensified border control and police powers (Shamir 2018), and pay insufficient attention to the root causes of human trafficking. Hence, current anti-trafficking efforts assist only a small number of individuals out of the multitudes recognized as victims of trafficking (Chuang 2014). Indeed, there is growing recognition of the need to develop a structural or labor approach to human trafficking that addresses the economic, political, and regulatory structures that enable and sustain human trafficking (Shamir 2012; Costello 2015; Mantouvalou 2020; Niezna 2022). Nevertheless, few alternative anti-trafficking tools, such as bilateral labor agreements that include recruitment and labor protections (Livnat and Shamir 2022), have been

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4. Palermo Protocol, Art. 3.

added to the common anti-trafficking policy toolkit. The main addition to this toolkit were CSR self-regulatory frameworks.

The shortcomings associated with traditional anti-trafficking strategies, as well as the call to address the root causes of trafficking, have led to the expansion of anti-trafficking efforts beyond individual traffickers to the role that corporations play in human trafficking in domestic and global supply chains (Raigrodski 2016; Banerjee 2021; LeBaron 2021; Van Buren III and Schremppf-Stirling 2022; compare Arora and Stephen 2022). Responding to consumer demand and seeking to avoid possible future legal liability, corporations adopted voluntary codes of conduct that include commitments to workers' rights down their domestic and global supply chains as part of their CSR strategies. CSR thereby emerged as a new anti-trafficking tool, manifested in the proliferation of a wide array of corporate anti-trafficking efforts, including corporate voluntary codes, industrial sector agreements, and local and global multi-stakeholder initiatives.

CSR anti-trafficking strategies attempt to address the claim that a substantial portion of today's corporate revenues is extracted from severe forms of labor exploitation (Faure 2015; International Trade Union Confederation 2016). If exploitation is generated and sustained by the very structural conditions—that is, the governance gaps under which supply chains operate—then it must be tackled by addressing supply chain governance (Bair and Palpacuer 2015; New 2015; Crane et al. 2019). The turn to CSR was further enhanced by the legislation of transparency and human rights due diligence laws. Both types of laws rely on the private sector's role and involvement in the governance of labor markets and in voluntary commitments to act to eliminate human trafficking from supply chains (Voss et al. 2019; McGaughey et al. 2022). This legislation fed a burgeoning field of policy, research, and activism focusing on anti-trafficking in global and domestic supply chains.

## Corporate Social Responsibility

In the early 1990s, under the conditions of a global governance deficit, exploitative working conditions in global supply chains, climate change, and a lack of accountability on the part of multinational corporations (MNCs), a vigorous campaign was launched against MNCs, seeking to expand their responsibility for the impact of their global business activities. MNCs responded by adopting an array of voluntary CSR codes and policies (Locke 2013; Gordon 2017; Bartley 2018). Over the years, CSR has developed into a dynamic industry involving a range of private, public, and civil society actors. When anti-trafficking efforts began engaging with supply chain governance a decade ago, they first embraced voluntary and CSR market-based regulatory frameworks, in which human rights violations, including trafficking, were framed as reputational risks. The focus on supply chains and growing public awareness of the issue of trafficking have led hundreds of corporations to adopt anti-trafficking codes and have given rise to a booming industry of professionals and non-profit and for-profit organizations offering corporations anti trafficking-related services (Monciardini, Bernaz, and Andhov 2021). Additionally, numerous conferences, awards, reports, and academic literature on the subject have proliferated (McGrath and Watson 2018).



While CSR may, in principle, seek to address the market structures that enable exploitation, some of its key characteristics make it better geared toward preserving, rather than transforming, current exploitative mechanisms for the recruitment, hiring, and employment of workers (Koenig-Archibugi 2017; Kenway 2021). In particular, the reliance on “beyond compliance” schemes—that is, the goodwill of corporations to insist on workers’ rights protections—seems less promising. The notion that corporations are well positioned to regulate their own profit-making conduct is problematic for various reasons. First, traditionally, any improvement in workers’ rights and their protection has occurred only following long and fierce struggles led by workers’ organizations and unions (Ibsen and Tapia 2017). Second, corporations tend to avoid taking unilateral active measures to protect and improve workers’ rights and working conditions because these increase labor costs and prices throughout the supply chain. Third, even corporations that are willing to act virtuously face difficulties in receiving reliable information from suppliers in the lower tiers of their supply chains on working conditions and the measures required to improve them and, even more so, in getting input from workers (Locke 2013; Bird, Short and Toffel 2019). Indeed, ample research in the field demonstrates that, despite extensive CSR activity, overall private anti-trafficking initiatives in global supply chains have not yet succeeded in increasing compliance with labor rights, either because they are only partial and superficial or because compliance costs get pushed down supply chains, resulting in increased levels of labor trafficking down the chain (Allain et al. 2013; Anner, Bair, and Blasi 2013; New 2015; Phillips 2015; MSI Integrity 2020). All of this raises significant questions regarding the potential of anti-trafficking CSR to bring about transformation.

### Modern Slavery Transparency Legislation: A Game Changer?

The growing critique of the potential to address human trafficking via CSR has led actors to push governments to act, to go beyond corporate voluntarism, and to enhance the state’s role through legislation in the field (Fudge 2018, 2022; LeBaron and Rühmkorf 2019). Two main legislative strategies have emerged in this field: transparency legislation and due diligence legislation.<sup>5</sup> This article focuses on the former. Transparency legislation requires firms with a certain annual turnover to publicly disclose their measures to eradicate human trafficking in their supply chains. Leading pieces of such legislation are California’s 2012 Transparency in Supply Chain Act, Australia’s Modern Slavery Act 2018, the United Kingdom’s MSA, and the recently enacted Canadian Fighting against Forced Labour and Child Labour in Supply Chains Act, scheduled to enter into force in January 2024.<sup>6</sup>

Section 54 of the UK MSA requires commercial organizations with a threshold turnover that conduct business in the United Kingdom to publish an annual statement on slavery and human trafficking, signed by a director and approved by the organization’s board of directors. The MSA does not include third party oversight. The

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5. For a nuanced and critical review of different types of human trafficking legislation, see Rühmkorf 2018.

6. California Transparency in Supply Chain Act, 2010, Cal. Civ. Code § 1714.43(a)(1); Modern Slavery Act 2018 (Australia), no. 153; Fighting against Forced Labour and Child Labour in Supply Chains Act, SC 2023, c. 9.

only enforcement mechanism that it provides for is an application for an injunction by the secretary of state to compel disclosure by an organization. Although the MSA does not mandate specific actions that corporations are required to take to eradicate labor trafficking, statements should detail the steps that the corporations have taken to ensure the absence of human trafficking in their supply chains or state that no such steps have been taken. Section 54 includes six recommended areas of reporting: the organization's structure, business, and supply chains; its policies related to slavery and human trafficking; its related due diligence processes; parts of its business and supply chain that are at risk for human trafficking and steps taken to address this risk; its effectiveness in this field as measured by appropriate performance indicators; and the training on these issues available to its staff.<sup>7</sup>

An independent review of the MSA included recommendations that these six areas of reporting be made mandatory, but, so far, this recommendation has not been adopted (Field, Miller, and Butler-Sloss 2019). With no reference to state-monitoring mechanisms, the provisions of the MSA reflect the explicit intention of the UK government to shift the responsibility of monitoring compliance with the Act to consumers, investors, and NGOs (UK Home Office 2015; Carrington, Chatzidakis, and Shaw 2020; Hsin et al. 2021).<sup>8</sup> In this respect, the MSA serves as a prime example of the global trend in transparency legislation—namely, indirect regulation that, much like the CSR standards, is based on the construction of labor trafficking as a reputational risk and relies on market forces and public pressures as monitoring and enforcement mechanisms.

Since the MSA came into force, it has been celebrated by some as a “game changer” (Lake et al. 2016; Walk Free Foundation 2017). Indeed, it has led to numerous “beyond compliance” corporate codes of conduct and broader initiatives carried out by industry groups, NGOs, unions, government agencies, international organizations, or collaborative efforts (Balch 2019; McGrath and Mieres 2022). In tandem, the emphasis on reporting has created a fast-growing industry of legal services and professional guidance on compliance with the MSA. Nevertheless, consistently low compliance rates among eligible organizations and the poor quality of most corporate MSA statements have been noted (Field, Miller, and Butler-Sloss 2019; Sarfaty 2020; Carrier 2021). The resemblance of these findings to analyses of transparency legislation elsewhere (Chilton and Sarfaty 2017; Nolan 2018) serves as an indication of the limited effectiveness of this regulatory model in terms of corporate response and in reducing instances of trafficking (Re:Structure Lab 2021). Hence, while transparency legislation appears to have the potential to curb harmful corporate practices by attempting to provide some harder edges to the soft regulatory characteristics of CSR, critics argue that its effectiveness is limited due to its reliance on market-based forms of supply chain governance and a lack of enforcement mechanisms (Sarfaty 2015, 2020; Mayer and Phillips 2017; Nolan 2018; Phillips, LeBaron and Wallin 2018; Voss et al. 2019). This criticism was reinforced by the independent review of the MSA, which stated that,

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7. MSA, s. 54(5).

8. It should be noted that section 54(11) of the MSA does provide the secretary of state with the power to seek an injunction against noncompliant organizations. To date, the government has not exercised this power.



while the “government was clear that it would be for consumers, investors and Non-Governmental Organisations (NGOs) to monitor compliance and apply pressure on businesses . . . it is time for the Government to take tougher action to ensure companies are taking seriously their responsibilities to eradicate modern slavery from their supply chains” (Field, Miller and Butler-Sloss 2019, 39).

In sum, whereas transparency legislation is rightly based on the understanding that the root causes of labor trafficking lie in corporate actions and the structure and operation of supply chains, this approach does not effectively address these root causes. Reliance on market-based monitoring and enforcement mechanisms raises doubts as to whether the regulatory powers granted by transparency legislation suffice to change the “rules of the game” (Harris and Nolan 2022). While critical transparency legislation literature has revealed the shortcomings of this legislative approach to address both state and market structures of labor exploitation (see, for example, Bright 2021; Hodkinson et al. 2021; Kampourakis 2021; Crane et al. 2022; Fudge 2022; Eller, *forthcoming*), relatively less research has been conducted on the implementation and operation on the ground of transparency legislation and the challenges of synthesizing it into managerial practice (Sarfaty 2020; Monciardini, Bernaz, and Andhov 2021; Islam and Van Staden 2022; Gutierrez-Huerter, Gold, and Trautrim 2023).

Within the latter line of research, some studies examine business models and levels of compliance with legal reporting requirements (see, for example, Birkey et al. 2018; Stevenson and Cole 2018; Voss et al. 2019; Flynn and Walker 2021; Meehan and Pinnington 2021; Suprun et al. 2022). Others contribute to understanding the structural weaknesses of transparency legislation by exploring corporate and civil society actors’ responses and their impact on legislation processes and their results (LeBaron and Rühmkorf 2019; Wray-Bliss and Michelson 2021; Islam and Van Staden 2022; Robb and Michailova 2022). Still, a smaller stream of studies offers analyses of actors’ interpretations, framings, and translations of legal requirements and the ways in which they impact the anti-trafficking field of action (Sarfaty 2020; Monciardini, Bernaz, and Andhov 2021; Gutierrez-Huerter, Gold, and Trautrim 2023). This article joins the latter scholarship and shares with it the understanding that actors’ discursive practices and interrelations significantly influence the trajectory of the anti-trafficking policies and their impact. Specifically, we aim to unpack power relations and dynamics embedded in the process of implementing transparency legislation, thereby accounting for how the legislation is shaped “in action.”

## RESEARCHING POWER DYNAMICS IN IMPLEMENTATION OF TRANSPARENCY LEGISLATION: A METHODOLOGICAL APPROACH

To explore the structural dynamics that shape the implementation and operation on the ground of transparency legislation in supply chains, we focused on the relations created between anti-trafficking initiatives and lead firms in the UK construction sector following the enactment of the MSA. In our examination of the structural dynamics influencing the implementation and operation of transparency legislation in supply chains, we centered our focus on the relationships formed between anti-trafficking

initiatives and lead firms in the UK construction sector after the enactment of the MSA. This examination is grounded in neo-institutionalist socio-legal scholarship, which argues that legal meanings and modes of compliance evolved and are constructed within the regulated social and organizational arenas, gradually becoming endogenous to the laws (Edelman, Uggen, and Erlanger 1999; Edelman 2016). Three key factors underscore the relevance of this theorization to the study of the MSA implementation. First, it suggests that laws are subject to processes of endogeneity especially during their implementation and when they are politically contested, vaguely formulated, and offer unclear compliance mechanisms, all of which are typical of transparency legislation (Landau 2023). Second, it sheds light on the substantial impact that interactions between legal authorities and business organizations and professionals have on shaping the meanings of compliance. By attempting to align laws to corporate and managerial norms and interests, business organizations and professionals contribute to the managerialization of laws (Gilad 2014). Third, it transcends the conventional dichotomy between compliance and noncompliance, suggesting that, when compliance standards are ill defined, business organizations tend to adopt superficial or symbolic patterns of compliance rather than substantive ones, which ultimately may impact litigation (Landau 2023).

In line with the theory of legal endogeneity, we approach the UK construction sector as a specific social and organizational arena that the MSA aimed to regulate. Our research brings to light that the corporate response to the MSA reflects the latter stages of legal endogeneity, including the diffusion of symbolic anti-trafficking structures, the utilization of modern slavery statements as symbolic structures, and the managerialization of the law through the dynamics of anti-trafficking chains (Edelman 2016, 22, 27–41; Monciardini, Bernaz, and Andhov 2021). By identifying the role of anti-trafficking initiatives as symbolic structures within supply chains, exploring their operational methods, and analyzing their relationships with lead firms as well as the managerialization of anti-trafficking, we aim to contribute to the conceptual analysis of the inadequacies of current forms of transparency legislation in addressing severe labor market exploitation.

To this end, we have drawn on data from exploratory research, which was part of a larger research project on labor governance in supply chains, that took place from October 2018 to October 2019. We used a multiple-method qualitative design, consisting of content analysis of modern slavery statements published by ninety-three construction companies between 2016 and 2019, nine semi-structured interviews with key actors in the United Kingdom's anti-trafficking field, and in the construction sector, in particular, and participant observation in a modern slavery training session. This design allowed us to cover and juxtapose different perspectives of the implementation of the MSA in the UK construction sector within the limits of the time frame and number of participants. Concretely, the analysis of modern slavery statements published by construction companies was used to explore compliance behavior and identify the types of anti-trafficking activities companies have taken. The interviews we conducted with key actors in the field from government agencies, businesses, professional bodies, and anti-trafficking initiatives have shed light on the intricate dynamics between the anti-trafficking chain and anti-trafficking institutional actors and lead firms. Lastly, because the analysis of the statements has shown that most corporations have made modern

slavery training available for their employees and first-tier subcontractors, we conducted a participant observation in a training workshop hosted by a major construction company that was directed at mid-management and first-tier labor market intermediaries (LMIs).

As noted earlier, the UK MSA has elicited only low levels of compliance with the reporting requirements that it introduced in section 54 (Independent Anti-Slavery Commissioner 2022). According to reports, 40 percent of the companies in the United Kingdom that are required by the Act to publish transparency statements do not comply (Carrier 2021). In order to get a fuller picture of compliance in the construction sector, we used purposive sampling for the qualitative content analysis of the modern slavery statements. We analyzed statements published by the signatories of the Construction Protocol,<sup>9</sup> a joint agreement initiated by the Gangmasters and Labor Abuse Authority (GLAA) and leading construction firms that was in operation between 2017 and 2022.<sup>10</sup> Funded by the UK Home Office, the GLAA—a government body with the aim of investigating worker exploitation and other illegal labor market activities—aimed through the Construction Protocol to create private-public and intersectoral partnerships for standard setting and a knowledge dissemination forum to address severe forms of labor exploitation in the UK construction sector. When we conducted the research, the Construction Protocol was at its peak, and joining it was a meaningful symbol of corporate commitment to address human trafficking. At the time of analysis, there were 147 signatories altogether, of which 129 signatories were construction companies and LMIs, and ninety-three published statements. The analysis of all the accessible annual statements published by these ninety-three construction companies between 2016 and 2019 allowed us to explore their stated efforts to eradicate severe forms of labor exploitation from their supply chains and to trace patterns and trends of compliance with the requirements of the MSA.

The selection of key actors who were actively involved in anti-trafficking efforts in the UK construction sector for interviews was based on desk research and an ongoing consultation with informants. Each interviewee either had expertise in addressing modern slavery in the UK construction sector or had a formal role within one of the following: a construction company, an LMI, a not-for-profit organization, a research platform, an industry association, or a regulatory agency. In all, we conducted nine semi-structured interviews in which twelve interviewees took part—in some interviews, there was more than one interviewee, and some interviewees we met several times (see the list of interviewees in Table 1 at the end of this article). As noted above, the analysis of companies' modern slavery statements and the interviews were supplemented with observation of an anti-trafficking in construction one-day training session.

Due to the limitations of this qualitative research design, particularly, its singular focus on one sector, it is important to exercise caution when attempting to generalize the insights drawn from this study to broader contexts. Nevertheless, the utilization of

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9. See Construction Protocol, 2020, <https://www.gla.gov.uk/media/5961/construction-protocol-v08-as-at-300120.pdf>.

10. See the Gangmasters and Labour Abuse Authority's (GLAA) statement from November 2022 regarding its strategy change and withdrawal from the Construction Protocol. "Protocols Make Way for Business-owned Prevention Activity," *Gangmasters and Labour Abuse Authority*, <https://www.gla.gov.uk/whats-new/latest-press-releases/09112022-protocols-make-way-for-business-owned-prevention-activity/>.

**TABLE 1.**  
**List of interviewees**

Number	Interviewee	Abbreviation	Interviewer	Date of interview
1	Industry Researcher (three meetings)	IR	First author (first and second meetings); Second and third authors (third meeting)	October-18 April-19 June-19
2	Manager at an anti-trafficking service provider	MATSP	First author	April-19
3	Two Directors at Professional Organisation	DPO 1 DPO 2	First author	April-19
4	Member of a Modern Slavery Research Center	MRC	Second author	June-19
5	Executive Director at a Construction Company	EDCC	Second author	June-19
6	Sustainability director at a construction company (two meetings)	SDCC	First author	July-19 August-19
7	Government Agency Official	GAO	Second author	August-19
8	Director at LMI 1	DLMI 1	Second author	September-19
9	Three employees at LMI 2	ELMI 2-1 ELMI 2-2 ELMI 2-3	Second author	October-19

complementary qualitative research methods and juxtaposing data from several sources allowed us to identify common anti-trafficking practices and processes, explore the organizational dynamics generated by the UK MSA, and delineate the trajectory that the MSA has taken within the social arena of the construction sector. It is worth noting that the trajectory we identify is dynamic. However, we believe our findings contribute to a more nuanced understanding of the MSA's potential and risks by tracing the creation of symbolic legal structures and of formal governance frameworks in which the requirements of the MSA were confronted, negotiated, interpreted, and translated to organizational governance.

## CONSTRUCTION SUPPLY CHAINS IN THE UK

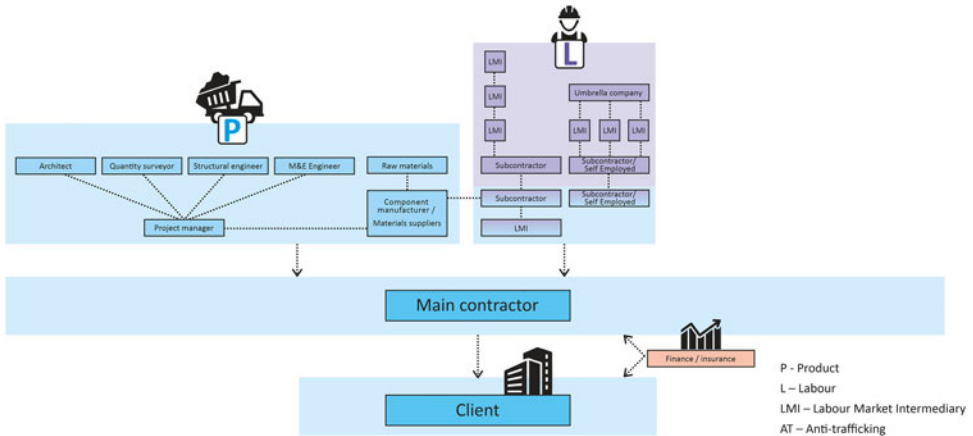
We use the UK construction sector to illustrate the power dynamics created between anti-trafficking actors and lead firms in the implementation and operation of transparency legislation for several reasons. First, construction is considered to be one of the sectors most vulnerable to labor exploitation worldwide (International Labour Organization 2018; Russell Jaquetta, and Roland 2018; Trautrim et al. 2020; Gutierrez-Huerter, Gold, and Trautrim 2023). In the United Kingdom, reports show that, in 2017, approximately one in eight of the nearly thirteen hundred UK slavery cases recorded by the anti-slavery hotline involved the construction and building industry,

and, in 2021, more than 20 percent of incidents of labor exploitation took place in this industry (Guilbert 2018; Unseen Modern Slavery and Exploitation Helpline 2023). Second, construction constitutes an important industrial sector due to its contribution to both the UK economy and employment. The sector encompasses the development and construction of domestic and commercial buildings, civil engineering projects, and other specialized activities, such as scaffolding, demolition, plastering, and painting. It employs approximately 2.3 million people, just over 7 percent of national employment, and contributes 6 percent of the total national economic output (Rhodes 2019; Office for National Statistics 2020). Third, the sector involves the operation of both international product supply chains for materials and complex multi-tiered local labor supply chains. The latter recruit and deliver the workforce, of which 14 percent are non-UK migrant workers (Buckley et al. 2016). Next, we offer a review of the main characteristics of the construction sector and its supply chains and the sector's response to the MSA.

### Key Elements of Supply Chains in the UK Construction Sector

Supply chains in construction may differ significantly in size and complexity due to the great diversity of construction projects (Crates 2018, 5). Indeed, there are 343,000 registered firms in the sector in the United Kingdom, of which the vast majority are small- and medium-sized enterprises as well as a high number of unregistered self-employed contractors. As a result, the sector is characterized by a high level of fragmentation that both stems from, and contributes to, the sector's extreme market volatility and heavy reliance on subcontracting and flexible work (Green 2011; Rhodes 2019). Despite its fragmentation and project diversity, some key actors and processes remain similar in almost every construction project. A construction project often begins when a client embarks on a new endeavor, such as building a new hospital or apartment complex. Usually after a bidding process, the client hires a main contractor, who has overall responsibility for delivering the project on time and managing the costs. Depending on the type of project, the contractor receives several specialist inputs from professional services, including financial institutions, architects, quantity surveyors, structural engineers, and mechanical and electrical engineers (Fellows and Liu 2012). In the next stage, since contractors do not manufacture or deliver building materials and components themselves (for example assembling raw materials to make doors), they source them from external suppliers, thereby giving rise to the product supply chain. Figure 1 depicts in blue a stylized product supply chain of a construction project with some generic actors (Department for Business, Innovation, and Skills 2013, 27; Crane et al. 2019, 95).

The typically short duration of building projects, the late payments, and the narrow profit margins associated with the sector contribute to its high volatility (Ahmed, Pasquire, and Manu 2022), which is manifested in the large numbers of companies declaring bankruptcy annually. For example, in 2018, Carillion, which was the United Kingdom's second-largest construction company, went out of business, putting numerous contracts, payments, and jobs at risk across its supply chains (Kollewe 2018). Given such financial and business risks, contractors seek to reduce employment



**Figure 1.**

**Product and labor supply chains in the UK construction sector.**

*Note:* We recognize that, given the diversity of projects that characterizes this sector, the figures shown in this article are not necessarily “typical” or representative of all construction supply chains. Nevertheless, we use them to illustrate key processes and types of relationships between common actors in UK construction supply chains that will exist, in one form or another, in the vast majority of projects.

costs and maintain a high level of flexibility by subcontracting large portions of the work (Green 2011; Akintan and Morledge 2013; Farmer 2016). Likewise, the reliance on subcontracted labor adds to a labor supply chain, as depicted in purple in Figure 1. The labor supply chain consists of three main types of actors: (1) subcontractors who carry out parts of the building and construction work; (2) LMIs that provide manual workers and employment services to the main contractor and subcontractors as well as to other suppliers in the product supply chain. LMIs include temporary work agencies and recruitment agencies and payroll companies. Their number can extend to several tiers (as illustrated in Figure 1). For example, if a subcontractor asks LMI 1, who can only supply ten workers, for twenty workers, LMI 1 may turn to LMI 2 to provide the other ten and so on); and (3) self-employed manual workers who are directly contracted by either the main contractor or other subcontractors and who constitute 37 percent of the construction workforce (Rhodes 2019).

The large share of self-employment in the construction sector is likely the outcome of the Construction Industry Scheme (CIS), a governmental taxation policy unique to the sector that makes it significantly cheaper to contract for workers with a self-employed provider than to employ them directly (Seely 2019). Some research suggests that, as a result of the CIS, self-employment in the sector is in fact a misclassification of what should be recognized as employment, resulting in myriad violations of workers’ rights and increasing worker vulnerability (Behling and Harvey 2015; Davies 2022). The substandard working conditions in the sector have been further exacerbated by the proliferation of intermediary umbrella companies, used by recruitment agencies to pay temporary workers. Referred to by some as a “con trick” (Elliott 2014), umbrella companies are an example of how the policy framework, perhaps unintentionally, has



encouraged further labor abuse and exploitation (Farmer 2016). To further push down labor costs, LMIs often employ migrant workers (mostly European), who make up 14 percent of the workforce in the sector and a large percentage of the workforce that engages in construction (Construction Industry Training Board 2019). Figure 1 presents the generic product and labor supply chains.

In sum, the fragmentation and complexity that characterize UK construction supply chains and the sector's high volatility result in heavy reliance on subcontracted, flexible, and migrant labor (Farmer 2016; Green 2019). These structures and dynamics lead to workers' vulnerability to severe forms of routinized labor exploitation in the sector (Crates 2018; Focus on Labour Exploitation 2018).

### Anti-Trafficking Chains in the UK Construction Sector

The UK MSA has played a pivotal role in driving the surge of anti-trafficking efforts in supply chains in recent years, including in the construction sector. As a sustainability director at a major construction company explained,

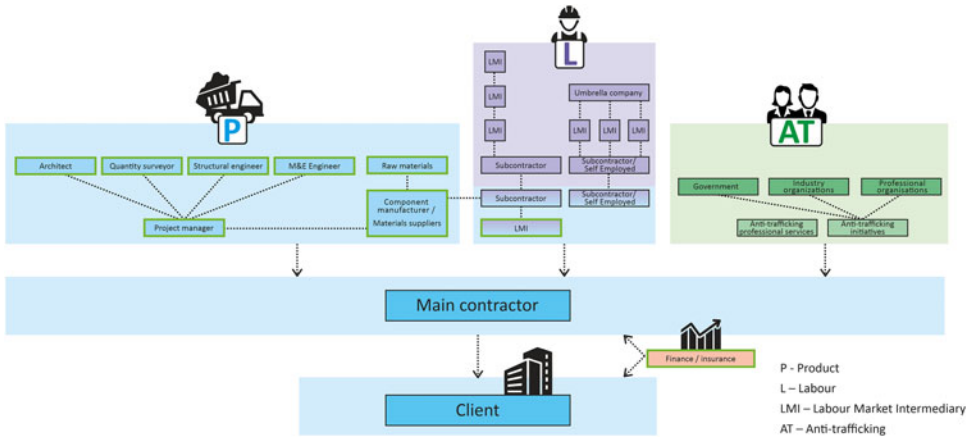
[a]ctually you can have a conversation around this now in a way that you couldn't do before the Act came into force. You've got those companies that would deny that there was a problem, it's a much more mature language around business and human rights, or modern slavery. . . . I think we're verging more towards stopping only talking about modern slavery or talking about human trafficking, you know we're starting to get to the nuts and bolts of it, so I think it's incredibly helpful even in that context alone. For me it definitely has been a game changer. (Sustainability director at a construction company [SDCC], personal communication, 2019)

As this quote, and additional information provided by others in the construction sector, suggest, anti-trafficking efforts in the UK construction sector have been fueled to a large extent by the MSA. To be sure, the consistent finding that construction is among the sectors most prone to labor trafficking did prompt anti-trafficking efforts prior to the enactment of the Act. For example, seeking to take on a leading role as a key anti-trafficking actor in the sector, the Chartered Institute of Building (CIOB) launched, already in 2014, a campaign "to tackle bonded labour and slavery in construction."<sup>11</sup> Still, all participants referred to the proliferation of anti-trafficking activities in the sector following the MSA. However, as research participants intimated and as our statement review revealed, this activity included putting in place symbolic legal and governance structures that established yet another supply chain layer, this time an anti-trafficking supply chain, that did not create deep change in corporate practices. The anti-trafficking supply chain we identify is depicted in green in Figure 2.

The anti-trafficking supply chain consists of anti-trafficking initiatives, either by a single not-for-profit organization or by multiple stakeholders. Such initiatives may

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11. The Chartered Institute of Building's campaign was launched in Qatar during a meeting of the Members Forum. "Tackling Modern Slavery in Construction," *Chartered Institute of Building*, <https://www.ciob.org/campaigns/tackling-modern-slavery-construction>.



**Figure 2.**  
Anti-trafficking, product, and supply chains in the UK construction sector.

originate from professional and industrial associations, state bodies, and civil society organizations; however, most often they consist of alliances with construction companies and cross-industry collaborations. This category includes anti-trafficking service providers such as Stronger Together, Supply Chain Sustainability School, and Hope for Justice.<sup>12</sup> In addition, human-trafficking professional services, such as accountancy firms, offer companies a range of services to comply with MSA requirements and write transparency statements. Funders and supporters of anti-trafficking initiatives are not only corporate actors but also governmental bodies, industry associations, and professional organizations with vested interests in addressing labor exploitation in the sector. The CIOB, the GLAA's Construction Protocol, and the Building Research Establishment are prime examples of such actors. In the next section, we elaborate on the operation, logic, and implications of anti-trafficking chains in the UK construction sector.

## ANTI-TRAFFICKING DYNAMICS IN THE UK CONSTRUCTION SECTOR

According to our interviews and statement review, the uptake of the MSA in the construction sector was originally rather slow relative to other sectors (Crates 2018). Interviewees suggested that this may be changing and that there is an increased awareness of modern slavery issues in the sector. As one of the labor providers we interviewed stated, “[a] few years ago the question was, do you have a modern slavery statement? Now the question is, what are you doing to prevent modern slavery? And in one thousand words, so it’s not just a three-line answer, you’ve got to give a robust answer to those questions, so there’s definitely more detailed questions being asked

12. For the webpages of these initiatives, see *Stronger Together*, <https://www.stronger2gether.org/>; *Hope for Justice*, <https://hopeforjustice.org/>.

about how that's being managed" (Director at LMI 1 [DLM 1], personal communication 2019).

Notwithstanding the positivity associated with the above extract, our analysis of statements published by signatories to the Construction Protocol shows that 28 percent fail to comply with the legal requirements of the Act and that, on average, 45 percent provide no or minimal information regarding the six areas of reporting recommended by the UK Home Office. For example, while 62 percent of the companies did refer in their statements to the six policy areas, 25 percent of them did not provide any information on the relevance of their policies to modern slavery or on actual steps taken to tackle labor exploitation in their supply chains, and 69 percent did not have a code of conduct or standards in place for suppliers and business partners. Poor reporting on policies typically included general statements such as: "We are committed to implementing and enforcing effective systems and controls to eliminate, as far as possible, the risk of modern slavery and human trafficking taking place anywhere in our business or supply chains";<sup>13</sup> "The Crown Estate has a zero tolerance policy on slavery and human trafficking within its business and supply chains";<sup>14</sup> and "Our anti-slavery policy reflects our commitment to acting ethically and with integrity in all our business relationships and to implementing and enforcing effective systems and controls to ensure slavery and human trafficking is not taking place anywhere in our supply chains."<sup>15</sup> In reference to such statements, the instructor of a modern slavery training workshop, run by an anti-trafficking service provider, said that, unlike the mature and proactive approach of the retail sector, statements in the construction sector "are written as a compliance exercise."

Our findings reveal the way in which organizations devise forms of compliance that seemingly address both the legal requirements and the business practices through "symbolically demonstrat[ing] attention to law while maintaining sufficient flexibility to preserve managerial prerogatives and practices that are seen as advancing business goals" (Edelman 2016, 31). We identify this diffusion of symbolic forms of compliance as a strategy that replicates the supply chain logic within the corporate response to the MSA. Due to their lack of expertise in the field of anti-trafficking, corporations seek assistance from various initiatives and organizations to ensure compliance with the MSA. However, since the MSA imposes minimal and relatively technical requirements on corporations, the assistance they request from anti-trafficking initiatives and professional organizations are similarly limited. Relying on corporate funding, these initiatives and organizations tend to prioritize corporate interest and are therefore institutionally positioned as service providers within the supply chain. Consequently, their ability to act as a transformative force in corporate practices is limited or nonexistent. In such conditions, these initiatives often lack the necessary power resources and influence to bring about change in supply chain labor governance. In the following sections, we will first address the links between the characteristics of the construction sector and its response to the MSA. We will then turn to discuss the role

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13. "Modern Day Slavery and Human Trafficking Statement," Mammoet (2019), <https://www.mammoet.com/anti-slavery-statement/>.

14. "Modern Day Slavery and Human Trafficking Statement," Crown Estate (2019), <https://www.thecrownestate.co.uk/en-gb/modern-slavery-act>.

15. "Anti-Slavery Statement," Murphy Group (2019), <https://www.murphygroup.com/anti-slavery-statement>.

and position of anti-trafficking efforts within the sector and the legal endogeneity processes that result.

### What Shapes the UK Construction Sector's Response to the MSA?

The MSA effectively heightened awareness within the construction sector about the significant role that lead firms can play in addressing human trafficking. However, it had limited success in compelling construction companies to fully internalize their responsibilities as outlined in the Act. Instead, construction companies have commonly taken minimal steps to adopt anti-trafficking measures, failing to progress beyond symbolic compliance and governance structures in relation to first tier and second tier suppliers. Given the abundance of anti-trafficking initiatives and activities within the sector, the compliance patterns that it adopted may appear perplexing. In this section, we explain these patterns, based on our findings, by identifying five factors that have influenced the sector's response. Each of these factors is linked to the distinctive business environment and behavior that characterizes the UK construction sector and the soft governance and compliance mechanisms of the MSA. Drawing from the understanding that the process of legal endogeneity involves interactions between compliance mechanisms and corporate behavior (Gilad 2014), we suggest that the sector's response has been influenced by the Act's relatively low regulatory risk and its reliance on market-based governance mechanisms, on the one hand, and the competitive nature of the sector and its resistance to consumer pressures, on the other.

First, the complex and fragmented nature of the construction sector's supply chain, resulting from the reliance on outsourcing activities to multiple subcontractors, emerges as a major factor affecting its response to the MSA. The sector is characterized by numerous small businesses, high self-employment rates, multi-tier chains, and short-term contracts. In these conditions, the main contractors often have little control over their supply chains and limited knowledge of suppliers' activities. This is particularly the case in relation to labor providers, which themselves may be larger than the main contractor. As an executive director at a construction company (EDCC) explained,

[t]he construction supply chain is very transient, very dynamic. So I don't even know if contractors have a full grasp of their entire supply chain. . . . I think it's understood now, in the broader sense, with the big [tier]-ones, even [tier]-twos, and all of our big clients. Move down to some of the tier four, tier five, development is ongoing. This would not even be really a topic, there'd be the policies on the website, maybe a very broad-brush statement, and that's it. (EDCC, personal communication, 2019)

This structural intricacy suggests that the composition of the supply chain is a key element in pursuing effective implementation of the MSA and may necessitate tailored regulatory requirements and standards and specific regulatory guidance suited to different types of supply chains.

Second, as construction projects are often large and costly, their supply chains commonly involve financial service providers, such as banks and insurance companies.

Such strong financial institutions have the capacity to exert pressure on construction companies to implement more substantive measures to combat human trafficking throughout their supply chains. However, our findings indicate that banks, insurance companies, as well as large clients, often do not treat the construction projects they are involved in as part of their own supply chain. In light of the growing recognition of the financial industry's significant role in combatting modern slavery (Kovick and Davis 2019), their reluctance to enhance anti-trafficking efforts within the construction sector is detrimental to the Act's overall impact and to the patterns of the sector's compliance with the Act.

Third, the construction sector's comparative lack of responsiveness to consumer demands and pressures, unlike sectors like retail and consumer goods, also contributes to its tendency for symbolic compliance rather than substantive compliance with the Act. Unlike the retail and consumer good sectors, the construction sector has not experienced major trafficking litigation or news coverage of modern slavery that would typically elicit a corporate response. Consequently, the reputational risk associated with the exposure of modern slavery has not exerted significant influence on the construction sector. This observation is supported by research that suggests that media coverage of modern slavery issues plays a crucial role in prompting firms to address modern slavery risks in their supply chains (Geng, Lam, and Stevenson 2022). Furthermore, due to the substantial expenses involved in construction projects, both individual and corporate clients are highly cost sensitive. In addition, many clients only engage in construction projects once they prioritize factors other than labor exploitation criteria in their decision-making process. These consumption patterns in the construction sector further diminish the MSA's impact within the sector. The sector's relative immunity to customer pressures suggests that addressing modern slavery in construction, as well as in sectors with similar characteristics, may require a different approach than market-based compliance mechanisms as adopted by the MSA.

Fourth, UK construction companies and subcontractors operate within an intensely competitive and unpredictable market, resulting in narrow profit margins (Hartwell 2018). As a result, construction companies often refrain from publicizing the measures they take to address modern slavery and prefer not to disclose specific incidents in their modern slavery statements in order to avoid association with the issue. A member of a modern slavery research center explained that construction companies fear that reporting something in the United Kingdom could result in legal repercussions elsewhere (member of a Modern Slavery Research Center [MRC], personal communication, 2019). In our analysis of statements from signatories to the Construction Protocol, we also found that most did not provide specific information about the risk assessments they conducted, with only five reporting incidents of modern slavery they had addressed. Observers in the field argue that a change in the sector's response to the MSA will only occur if companies voluntarily disclose specific risks and incidents related to modern slavery within their supply chains. This observation suggests that the noncompulsory and "soft" elements of the legislation may in fact hinder anti-trafficking efforts. Furthermore, even when companies do act, they may abstain from disclosing their actions out of fear of the uncertainty associated with potential future hardening of the law.

Fifth, while the construction industry has consistently been identified as a hotbed for human trafficking, there remains uncertainty within the sector regarding the actual extent of modern slavery. Directors from construction companies have suggested that this uncertainty may stem from the hidden nature of severe exploitation in the lower tiers of the supply chain, making it less visible to lead firms. When they are aware of such exploitation, it is perceived to be isolated incidents involving specific problematic actors rather than a widespread sectoral issue for which they bear responsibility. These doubts contribute to the sector's relatively slow response to the Act. Anti-trafficking scholars suggest that gendered elements may also be relevant in this context. They explain that since modern slavery is often associated with female vulnerability, it is less commonly linked to the male-dominated construction sector (O'Connell Davidson 2006; Shankley 2021). Other scholars suggest that the prevailing belief that modern slavery primarily occurs in the global South obscures the exploitation that is happening within domestic supply chains in the United Kingdom (Crane et al. 2019).

In this section, we have pinpointed five key factors that have molded the response of the UK construction sector to the MSA. These factors reflect the interplay between the sector's distinct business environment and behavior and the Act's soft and market-based governance mechanisms. In line with the understanding that institutionalized corporate norms and practices significantly influence the meanings of laws (Landau 2023), we suggest that the insights gained from studying the compliance patterns of the construction sector with the MSA can offer valuable perspective for assessing the impact of the MSA on other sectors as well as the impact of similar legislation adopted outside the United Kingdom. Against this background, the next section describes the particular modes of operation of anti-trafficking efforts in construction supply chains in the United Kingdom.

## The Role and Position of Anti-trafficking Initiatives in Construction Supply Chains

In 2017, two years after the enactment of the MSA, the GLAA launched the Construction Protocol as a joint sectorial agreement aimed at eradicating slavery by sharing intelligence, protecting workers, and raising awareness to human trafficking in construction supply chains. Between 2017 and 2022, many companies and organizations that operate in the sector signed the protocol. In November 2022 the GLAA withdrew from its sectoral protocols, including the Construction Protocol, stating that "GLAA protocols make way for business owned prevention activity."<sup>16</sup> At the time of our research, there were 147 signatories to the Construction Protocol: sixty-one construction and engineering companies, forty-one service and materials suppliers, twenty-one labor providers, seven public agencies and bodies, six industry associations and accreditation bodies, six anti-trafficking organizations, and five companies from other sectors.

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16. See "GLAA Protocols Make Way for Business-owned Prevention Activity," GLAA (2022), <https://www.glaa.gov.uk/i-am-a/i-use-workers/protocols-make-way-for-business-owned-prevention-activity/>.



Interviewees from a construction company and a government agency noted that companies became signatories to the Construction Protocol due to their typically cautious approach toward regulators and regulatory bodies such as the GLAA. While they acknowledged that the latter does not license businesses that provide workers to the construction sector, they believed that the fact that it does have the authority to investigate labor exploitation across all sectors impacted the strong motivation of construction companies to become signatories. Indeed, building on the protocol's success in attracting signatories, these interviewees expressed hope that it would have an impact on the sector's response to the Act. For example, a government agency official (GAO) stated: "One thing that has changed through the Protocol is there has been a slight shift in language. So it used to be, well if we find exploitation, what could we do and what should we do? Whereas now they talk about when we find it. So there's that realization and acceptance that actually, it's going to be in your supply chains" (GAO, personal communication, 2019).

However, interviewees from construction companies also raised doubts regarding the impact of the Construction Protocol as they thought that "just providing intelligence is limited" (EDCC, personal communication, 2019); that for it to be effective, preventive measures should be discussed and designed; and that to lead a change, the protocol needs to be enforced. One director explained their disappointment: "My expectations [were] that we will share more, we will learn more and we'll actually start to feel a sense of collective pride that we are identifying, [that] things are being caught on our watch, but [it's] much more . . . like low-grade comradery. Some people are still kind of creeping out" (SDCC, personal communication, 2019). Despite the symbolic gesture of joining the Construction Protocol, the modern slavery statements of signatories that we reviewed show low levels of compliance and minimal meaningful action taken by companies that should have been leaders in the field (for similar findings, see Trautrim et al. 2020; Monciardini, Bernaz and Andhov 2021). We found that, of the six reporting areas recommended by the UK Home Office, those most reported were due diligence processes (88 percent) and training (74 percent). In line with other studies (New and Hsin 2021), our review identified progress in the quality of companies' annual statements in these two reporting areas—that is, over the years companies provided more detailed information on their use of supplier questionnaires and training programs. Regarding the former, while most companies reported that they assessed potential suppliers for forced labor or modern slavery risks, only a few reported that they engaged directly with workers or trade unions or that they had grievance mechanisms. The least elaborate of the six reporting areas was key performance indicators to measure the effectiveness of the steps being taken (11 percent). An industry researcher suggested that this pattern was a result of the sector's supply chain characteristics. While human-trafficking risks are expected to be found in the lower tiers, contractors often do not know the suppliers and subcontractors beyond the first or second tier. Interviewees also noted that, beyond the second tier, suppliers and subcontractors are often unaware of human-trafficking issues.

Under these conditions, complying contractors seem to have found training and some due diligence processes more feasible than measures that require better and detailed knowledge of their supply chains (Trautrim et al. 2020). This is clearly evident in the services offered and provided by the numerous anti-trafficking initiatives,

organizations, and consultancies. These anti-trafficking service providers offer companies mostly training programs and due diligence audits to help them comply with the Act. The rise of the anti-trafficking services industry around the sector's reporting patterns created competition between service providers and uncertainty among service purchasers. A government official commented on this booming anti-trafficking industry: "Some businesses . . . want to be seen to be doing something, so they'll think, right, I'll sign up to this, and I'll get that, and I'll pay for this, and I'll pay for that, without knowing actually what is better, what should I be paying for, what do I get for my money . . . there is just so much out there" (GAO, personal communication, 2019).

Much like the well-documented capture of certification programs (LeBaron 2020), anti-trafficking initiatives require support and legitimation from professional bodies such as the CIOB to establish their reputation and reliability in the sector. Furthermore, although these are often non-profit organizations, they too require funding to sustain their activities (Hielscher et al. 2017). Consequently, anti-trafficking initiatives assume an active role in anti-trafficking alliances and collaborations to enhance their professional reputation and added value. Simultaneously, to fund their anti-trafficking activities, they seek to engage companies through long-term membership or sponsorship models rather than merely providing them with their services. However, according to interviewees in the anti-trafficking service sector, construction companies tend to avoid publicly sponsoring anti-trafficking initiatives due to concerns that such initiatives may criticize their corporate behavior. Consequently, construction companies prefer to purchase anti-trafficking services instead, leading anti-trafficking initiatives to offer their services in a manner that is similar to for-profit consultancy firms. Under this funding model, anti-trafficking service providers are required to turn to companies and offer their services as suppliers that aim to cater to the interests and needs of the corporations. Interviewees from a professional organization observed that anti-trafficking initiatives are "driven by business needs" or "chasing after money." Corporations in turn seek to develop compliance strategies that do not challenge their corporate practices or business ideals, often preferring symbolic structures of organizational governance. Moreover, the limited funding available to anti-trafficking initiatives places them in competition with other initiatives and anti-trafficking service providers, possibly obstructing the pursuit of real causes (Ghumra 2018).

## DISCUSSION

An anti-trafficking industry has been developed in the UK construction sector following the enactment of the MSA. However, actors in the field observed that the sector currently exhibits a slow and partial uptake of these anti-trafficking initiatives. What, then, explains the significant gap between the vibrant anti-trafficking activity around construction and the actual impact of the Act on the ground? To account for this conundrum, our research focused on the role that the imbalanced power relations between companies and anti-trafficking initiatives plays in the implementation, operation, and compliance of the MSA and the resulting process of legal endogeneity. Since anti-trafficking initiatives often rely financially on funding from the construction

sector, in the form of partnerships, membership fees, and joint programs, this gap has led to their focus on activities that meet companies' minimal requirements for compliance with the Act. Hence, most often, they provide training and tools for companies, focusing mostly on the needs of corporate headquarters, including main contractors and, potentially, first- or second-tier subcontractors, in both product and labor supply chains. Crucially, the key actors driving these initiatives are unable or unwilling to reach lower tiers. Therefore, anti-trafficking initiatives are dependent on perceived influencers in supply chains, including main contractors, professional service suppliers, and component manufacturers. It is these actors who are sensitive to brand recognition and therefore face reputational risks in line with their legal obligations under section 54 of the MSA to publish transparency statements. Due to the imbalanced power relations between anti-trafficking initiatives and construction companies, the former are constructed as competing suppliers of anti-trafficking solutions and services to the latter, giving rise to an anti-trafficking supply chain, in which anti-trafficking initiatives spiral into a "supply chain logic" that limits their impact.

As suppliers, anti-trafficking initiatives are focused on cutting costs and serving their clients' needs, and this, in turn, limits the programs they offer as well as their overall vision of reform. Even when the vision of anti-trafficking initiatives extends beyond the requirements of the MSA, the value they offer to corporations is merely compliance with the Act, which structures the limited nature of their interventions and services. Consequently, training sessions and generic toolkits that allow corporations to comply with the minimum commitments they have made to train staff and develop processes in their statements are the most common services provided by anti-trafficking initiatives. Companies rarely fund or purchase consultation services regarding enforcement, inspections, or the development of implementation processes with second- and third-tier suppliers. Thus, the tools offered to corporations do not reach the elements that might systematically address root causes, enforcement, and inspection but, rather, focus on information flow and training in relation to first- and second-tier suppliers.

Accordingly, we find that, despite the goodwill and sincere intentions of anti-trafficking initiatives in the field, the MSA—rather than consumer pressures—is the main motivator of action in the construction sector, and, thus, anti-trafficking activities remain at the level of compliance with the MSA and rarely go beyond compliance. In addition, because the Act's requirements are more about the symbolic commitments that corporations are required to take under the MSA and less about their actions on the ground, anti-trafficking initiatives adapt themselves accordingly in terms of the services and tools they supply to companies. In this regard, a perhaps unintended consequence of the Act that results from processes of legal endogeneity is that it encourages anti-trafficking initiatives to limit their activities to merely addressing the MSA's minimum requirements as to do otherwise would expose them to unnecessary risks of liability.

To explain the position of anti-trafficking initiatives *vis-à-vis* that of lead firms in the sector, we added an anti-trafficking supply chain layer on to the existing supply chain descriptions. This mapping reflects the supply chain relations and dynamics that construct anti-trafficking initiatives as suppliers that have limited leverage to inspire sectoral transformation and bring about significant change but, instead, depend on

establishing their own legitimacy. Whether the positioning of anti-trafficking initiatives as suppliers is unique to the construction sector or is more broadly characteristic of the response to the Act is a question that requires further study. Yet this dynamic has already been observed in other contexts such as the private enforcement industry and accreditation companies (LeBaron, Lister, and Dauvergne 2017). Following Lauren Edelman's (2016) analysis of processes of legal endogeneity, our analysis shows that the corporate interpretation of the soft and ambiguous requirements of the MSA renders the law closer to business values by ensuring that anti-trafficking initiatives do not acquire the capacity to exert pressure on construction companies to tackle labor trafficking. Our findings raise the question of what other pressure points could drive a change in the sector's response to the MSA. We suggest that, for anti-trafficking initiatives to have the required power resources to enable them to effectively transform corporate practices, governmental policy needs to be less market reliant.

While our research draws a somewhat pessimistic picture, we find that this may be a preliminary stage in the introduction of anti-trafficking initiatives to the sector. This is a process that is still "under construction." In 2019, the UK Home Office launched a consultation that invited stakeholders to respond to proposed changes regarding the function and content of modern slavery statements, including civil penalties and extension to the public sector. Subsequently, in 2021, the UK government introduced the Modern Slavery (Amendments) Bill to the House of Lords, which is intended to strengthen the provisions of section 54, such as making false information in statements a criminal offense and requiring companies to conduct a wider range of external audits and supply chain verification. Hence, the stronger requirements of an amended Act may lead to an evolution in anti-trafficking initiatives' position from suppliers to stakeholders.

Despite its flaws, the MSA does have one significant upside: it expands the anti-trafficking toolkit beyond criminalization of individual perpetrators and strict border controls—the main national and international responses to human trafficking—to address structural and economic elements that drive the phenomenon. Corporations are the main market actors that benefit—even if indirectly—from severe labor market exploitation, and the MSA directly asks them to take action to combat it. To make corporations responsible, however, it is increasingly clear that stronger implementation and enforcement mechanisms are required for corporations to take significant action against human trafficking in their supply chains. Effective implementation should engage additional actors that have diverse resources of power. As observed by interviewees, the main contractor is not always the focal point for exerting pressure to facilitate change. Key influencers may lie outside the construction sector, such as large corporate clients who are sensitive to branding and consumer pressures, or financial sector actors, who may be better positioned to assess risks, to receive information about subcontractors, and to apply incentives (or sanctions) to main contractors. Yet this may be a convenient position to hold for sector insiders, seeking to pass on the responsibility for human trafficking in construction supply chains to other actors.

Another key and underutilized supply chain actor are the workers themselves. Various interviewees suggested that labor exploitation tends to happen in the lower tiers of the supply chain, yet lower-tier subcontractors currently remain out of reach of anti-trafficking efforts since they lack incentives and resources to take on any anti-trafficking

commitments. This is where the role of workers' organizations and labor unions appears to be crucial. While labor intermediaries and providers may be more difficult to access from the corporate standpoint, unions and other alternative labor organizations can, in theory, reach the workers who can then, in turn, pressure employers or other key supply chain actors. Even if unionization is a tall order for some exploited workers, research suggests that other worker organizing models, such as worker-driven social responsibility, that make workers active actors in demanding and leading change need to be considered (Asbed and Hitov 2017; Reinecke and Donaghey 2021).

Effective corporate action can occur only when there is detailed and reliable information about the causes of workers' vulnerability to exploitation, available strategies to address the root causes, and tools to implement these strategies and monitor their implementation. As our case study of the construction sector suggests, models for effective corporate action to address human trafficking will vary by context and need to be sensitive to the specific structure and characteristics of the supply chain. Nevertheless, any response to human trafficking that does not consider these elements will remain incomplete and lead to mere symbolic forms of compliance. Based on our analysis, we believe that, once anti-trafficking chains challenge the contradictory logic of the legal interventions and the organizational corporate goals of profit maximization and limited liability, they will be able to act as an effective labor governance mechanism and to address human trafficking throughout supply chains.

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## REFERENCES

- Aaronson, Ely, and Gregory Shaffer. 2021. "Defining Crimes in a Global Age: Criminalization as a Transnational Legal Process." *Law & Social Inquiry* 46, no. 2: 455–86. <https://doi.org/10.1017/lsi.2020.42>.
- Ahmed, Sa'id Namadi, Christine Pasquire, and Emmanuel Manu. 2022. "Key Factors Affecting Commercial Actors in Collaborative Working within the UK Construction Industry." *Journal of*

- Financial Management of Property and Construction* 27, no. 3: 323–47. <https://doi.org/10.1108/JFMPC-01-2021-0004>.
- Akintan, Obafemi A., and Roy Morledge. 2013. “Improving the Collaboration between Main Contractors and Subcontractors within Traditional Construction Procurement.” *Journal of Construction Engineering*. <https://doi.org/10.1155/2013/281236>.
- Allain, Jean, Andrew Crane, Genevieve LeBaron, and Laya Behbahani. 2013. *Forced Labour’s Business Models and Supply Chains*. York, UK: Joseph Rowntree Foundation and Queen’s University. <https://www.jrf.org.uk/report/forced-labour%E2%80%99s-business-models-and-supply-chains>.
- Anner, Mark, Jennifer Bair, and Jeremy Blasi. 2013. “Toward Joint Liability in Global Supply Chains: Addressing the Root Causes of Labor Violations in International Subcontracting Networks.” *Comparative Labour Law & Policy Journal* 35, no. 1: 1–43.
- Arora, Punit, and Sarah Lillian Stephen. 2022. “In Defense of Capitalism: Modern Slavery Would Be Much Worse without It.” *Business & Society* 62, no. 3: 475–81. <https://doi.org/10.1177/00076503211066589>.
- Asbed, Gregg, and Steve Hitov. 2017. “Preventing Forced Labor in Corporate Supply Chains: The Fair Food Program and Worker-Driven Social Responsibility.” *Wake Forest Law Review* 52: 497–531.
- Bair, Jennifer, and Florence Palpacuer. 2015. “CSR beyond the Corporation: Contested Governance in Global Value Chains.” *Global Networks* 15, no. S1: 1–19. <https://doi.org/10.1111/glob.12085>.
- Balch, Alex. 2019. “Defeating ‘Modern Slavery’, Reducing Exploitation? The Organisational and Regulatory Challenge.” In *The Modern Slavery Agenda, Policy: Politics and Practice Book*, edited by Gary Craig, Alex Balch, Hannah Lewis, and Louise Waite, 75–96. Bristol, UK: Policy Press and Bristol University Press.
- Banerjee, Bobby. 2021. “Modern Slavery Is an Enabling Condition of Global Neoliberal Capitalism: Commentary on Modern Slavery in Business.” *Business & Society* 60, no. 2: 415–19. <https://doi.org/10.1177/0007650319898478>.
- Bartley, Tim. 2018. *Rules without Rights: Land, Labor, and Private Authority in the Global Economy*. Oxford: Oxford University Press.
- Behling, Felix, and Mark Harvey. 2015. “The Evolution of False Self-Employment in the British Construction Industry: A Neo-Polanyian Account of Labour Market Formation.” *Work, Employment and Society* 29, no. 6: 969–88. <https://doi.org/10.1177/0950017014559960>.
- Bird, Yanhua, Jodi L. Short, and Michael W. Toffel. 2019. “Coupling Labor Codes of Conduct and Supplier Labor Practices: The Role of Internal Structural Conditions.” *Organization Science* 30, no. 4: 847–67. <https://doi.org/10.1287/orsc.2018.1261>.
- Birkey, Rachel N., Ronald P. Guidry, Mohammed Azizul Islam, and Dennis M. Patten. 2018. “Mandated Social Disclosure: An Analysis of the Response to the California Transparency in Supply Chains Act of 2010.” *Journal of Business Ethics* 152: 827–41. <https://doi.org/10.1007/s10551-016-3364-7>.
- Bright, Claire. 2021. “Mapping Human Rights Due Diligence Regulations and Evaluating Their Contribution in Upholding Labour Standards in Global Supply Chains.” In *Decent Work in a Globalized Economy: Lessons from Public and Private Initiatives*, edited by Guillaume Delautre, Elizabeth Echeverria Manrique, and Colin Fenwick, 75–108. Geneva: International Labour Organization.
- Buckley, Michelle, Adam Zendel, Jeff Biggar, Lia Frederiksen, and Jill Wells. 2016. *Migrant Work and Employment in the Construction Sector*. Geneva: International Labour Organization. [https://www.ilo.org/wcmsp5/groups/public/—ed\\_protect/—protrav/—migrant/documents/publication/wcms\\_538487.pdf](https://www.ilo.org/wcmsp5/groups/public/—ed_protect/—protrav/—migrant/documents/publication/wcms_538487.pdf).
- Carrier, Patricia. 2021. *Modern Slavery Act: Five Years of Reporting*. London: Business & Human Rights Resource Centre and Modern Slavery Registry. [https://media.business-humanrights.org/media/documents/Modern\\_Slavery\\_Act\\_2021.pdf](https://media.business-humanrights.org/media/documents/Modern_Slavery_Act_2021.pdf).
- Carrington, Michal, Andreas Chatzidakis, and Deidre Shaw. 2020. “Consuming Worker Exploitation? Accounts and Justifications for Consumer (In)action to Modern Slavery.” *Work, Employment and Society* 35, no. 3: 432–50. <https://doi.org/10.1177/0950017020926372>.
- Chilton, Adam S., and Galit A. Sarfaty. 2017. “The Limitations of Supply Chain Disclosure Regimes.” *Stanford Journal of International Law* 53, no. 1: 1–54.



- Chuang, Janie A. 2014. "Exploitation Creep and the Unmaking of Human Trafficking Law." *American Journal of International Law* 108, no. 4: 609–49. <https://doi.org/10.5305/amerjintlaw.108.4.0609>.
- . 2017. "Using Global Migration Law to Prevent Human Trafficking." *American Journal of International Law Unbound* 111: 147–52. <https://doi.org/10.1017/aju.2017.40>.
- Construction Industry Training Board. 2019. *Migration and Construction: The View from Employers, Recruiters and Non-UK Workers in 2019*. Bracknell, UK: Construction Industry Training Board. <https://www.citb.co.uk/media/tgfpmy2j/citb-migration-research-2019-the-view-from-employers.pdf>.
- Costello, Cathryn. 2015. "Migrants and Forced Labour: A Labour Law Response." In *The Autonomy of Labour Law*, edited by Alan Bogg, Cathryn Costello, Aci Davies, and Jeremias Prassi, 189–228. Oxford: Hart Publishing.
- Crane, Andrew, Genevieve LeBaron, Jean Allain, and Laya Behbahani. 2019. "Governance Gaps in Eradicating Forced Labour: From Global to Domestic Supply Chains." *Regulation & Governance* 13, no. 1: 86–106. <https://doi.org/10.1111/rego.12162>.
- Crane, Andrew, Genevieve LeBaron, Kam Phung, Laya Behbahani, and Jean Allain. 2022. "Confronting the Business Models of Modern Slavery." *Journal of Management Inquiry* 31, no. 3: 264–85. <https://doi.org/10.1177/1056492621994904>.
- Crates, Emma. 2018. *Construction and the Modern Slavery Act: Tackling Exploitation in the UK*. Bracknell, UK: Chartered Institute of Building.
- Davies, Jon. 2022. "Criminogenic Dynamics of the Construction Industry: A State-Corporate Crime Perspective." *Journal of White Collar and Corporate Crime* 3, no. 2: 90–99. <https://doi.org/10.1177/2631309X211023055>
- Department for Business, Innovation and Skills. 2013. *UK Construction: An Economic Analysis of the Sector—July 2013*. London: Department for Business, Innovation and Skills. <https://www.gov.uk/government/publications/uk-construction-economic-analysis>.
- Dottridge, Mike. 2014. "Editorial: How Is the Money to Combat Human Trafficking Spent?" *Anti-Trafficking Review* 3: 1–14. <https://doi.org/10.14197/atr.20121431>.
- Edelman, Lauren B. 2016. *Working Law: Courts, Corporations, and Symbolic Civil Rights*. Chicago: University of Chicago Press.
- Edelman, Lauren B., Christopher Uggen, and Howard S. Erlanger. 1999. "The Endogeneity of Legal E: Grievance Procedures as Rational Myth." *American Journal of Sociology* 105, no. 2: 406–54. <https://doi.org/10.1086/210316>.
- Eller, Klaas Hendrik. Forthcoming. "The Suggestive Power of Transparency: Inside Corporate Disclosure Regimes in Global Value Chains" (draft in authors' possession).
- Elliot, Jamie. 2014. *The Umbrella Company Con-Trick*. London: Union of Construction, Allied Trades and Technicians.
- Farmer, Mark. 2016. *The Farmer Review of the UK Construction Labour Model*. London: Construction Leadership Council. <https://www.constructionleadershipcouncil.co.uk/wp-content/uploads/2016/10/Farmer-Review.pdf>.
- Faure, Juliette. 2015. *Forced Labour: Does It Make Economic Sense?* UNU/SIPA Junior Research Fellow Paper Series no. 1. New York: United Nations University and Columbia University.
- Fellows, Richard, and Anita M. M. Liu. 2012. "Managing Organizational Interfaces in Engineering Construction Projects: Addressing Fragmentation and Boundary Issues across Multiple Interfaces." *Construction Management and Economics* 30, no. 8: 653–71. <https://doi.org/10.1080/01446193.2012.668199>.
- Field, Frank, Maria Miller, and Baroness Elizabeth Butler-Sloss. 2019. *Independent Review of the Modern Slavery Act 2015: Final Report*. London: Home Office. <https://www.gov.uk/government/publications/independent-review-of-the-modern-slavery-act-final-report>.
- Flynn, Anthony, and Helen Walker. 2021. "Corporate Responses to Modern Slavery Risks: An Institutional Theory Perspective." *European Business Review* 3, no. 2: 295–315. <https://doi.org/10.1108/EBR-05-2019-0092>.
- Focus on Labour Exploitation. 2018. *Shaky Foundations: Labour Exploitation in London's Construction Sector*. London: Focus on Labour Exploitation.

- Fransen, Luc, and Genevieve LeBaron. 2019. "Big Audit Firms as Regulatory Intermediaries in Transnational Labor Governance." *Regulation & Governance* 13, no. 2: 260–79. <https://doi.org/10.1111/rego.12224>.
- Fudge, Judy. 2018. "Modern Slavery, Unfree Labour and the Labour Market: The Social Dynamics of Legal Characterization." *Social & Legal Studies* 27, no. 4: 414–34. <https://doi.org/10.1177/0964663917746736>.
- . 2021. "Twenty Years after Palermo, Can We Stop Discussing Labour Exploitation and Start Fixing It? In *Palermo Protocol 20th Anniversary Special: What Is Exploitation?*, edited by Neil Howard, Joel Quirk, and Cameron Thibos, 10–13. London: Beyond Trafficking and Slavery/OpenDemocracy. [https://cdn2.opendemocracy.net/media/documents/BTS\\_What\\_is\\_Exploitation.pdf](https://cdn2.opendemocracy.net/media/documents/BTS_What_is_Exploitation.pdf).
- . 2022. "Bad for Business: The Construction of Modern Slavery and the Reconfiguration of Sovereignty." *London Review of International Law* 10, no. 1: 3–31. <https://doi.org/10.1093/lril/lrac001>.
- . Forthcoming. *Constructing Modern Slavery: Law, Capitalism, and Free Labour*. Cambridge, UK: Cambridge University Press.
- Gallagher, Anne T. 2010. *The International Law of Human Trafficking*. Cambridge, UK: Cambridge University Press.
- Gangmasters and Labour Abuse Authority. 2020. *Gangmasters and Labour Abuse Authority Annual Report and Accounts: 1 April 2018 to 31 March 2019*. Nottingham, UK: Gangmasters and Labour Abuse Authority. <https://www.gov.uk/government/publications/gangmasters-and-labour-abuse-authority-annual-report-and-accounts-for-2019-to-2020>.
- Gaur, Ankit, and Diego A. Vazquez-Brust. 2019. "Sustainable Development Goals: Corporate Social Responsibility? A Critical Analysis of Interactions in the Construction Industry Supply Chains Using Externalities Theory." In *Sustainable Development Goals and Sustainable Supply Chains in the Post-Global Economy*, edited by Natalia Yakaleva, Regina Frei, and Sudhir Rama Murthy, 133–57. Cham, Switzerland: Springer.
- Geng, Ruoqi, Hugo K. S. Lam, and Mark Stevenson. 2022. "Addressing Modern Slavery in Supply Chains: An Awareness-Motivation Capability Perspective." *International Journal of Operations & Production Management* 42, no. 3: 331–56. <https://doi.org/10.1108/IJOPM-07-2021-0425>.
- Ghumra, Shamir. 2018. "It Is People Who Will Rescue People from Modern Slavery." *Thomson Reuters News Foundation*, May 15. <http://news.trust.org/item/20180515152603-x2b5t/>.
- Gilad, Sharon. 2014. "Beyond Endogeneity: How Firms and Regulators Co-Construct the Meaning of Regulation." *Law & Policy* 36, no. 2: 134–64. <https://doi.org/10.1111/lapo.12017>.
- Gordon, Jennifer. 2017. "Regulating the Human Supply Chain." *Iowa Law Review* 102: 445–504.
- Green, Stuart D. 2011. *Making Sense of Construction Improvement*. Chichester, UK: Wiley Blackwell.
- . 2019. "Modern Methods of Construction: Unintended Consequences." *Buildings and Cities*, September 27. <https://www.buildingsandcities.org/insights/commentaries/modern-methods-of-construction.html>.
- Guilbert, Kieran. 2018. "Migrant Workers Prey to Modern Slavery in UK Construction Industry: Charities." *Thomson Reuters Foundation*, April 9. <https://www.reuters.com/article/us-britain-trafficking-construction-idUSKBN1HG2MP>.
- Gutierrez-Hueter, Gabriela O., Stefan Gold, and Alexander Trautrim. 2023. "Change in Rhetoric but Not in Action? Framing of the Ethical Issue of Modern Slavery in a UK Sector at High Risk of Labor Exploitation." *Journal of Business Ethics* 182: 35–58. <https://doi.org/10.1007/s10551-021-05013-w>.
- Harris, Hannah, and Justine Nolan. 2022. "Outsourcing the Enforcement of Modern Slavery: Overcoming the Limitations of a Market-Based Disclosure Model." *Journal of Industrial Relations* 64, no. 2: 223–47.
- Hartwell, James. 2018. "Construction Organisation Structure and Innovation Adoption." In *Proceeding of the 34th Annual ARCOM Conference, 3-5 September*, edited by Chris Gorse and Christopher J. Neilson, 647–56. Belfast, UK: Association of Researchers in Construction Management.

- Hielscher, Stefan, Jan Winkin, Angela Crack, and Ingo Pies. 2017. "Saving the Moral Capital of NGOs: Identifying One-sided and Many-sided Social Dilemmas in NGO Accountability." *VOLUNTAS: International Journal of Voluntary and Nonprofit Organizations* 28, no. 4: 1562–94. <https://doi.org/10.1007/s11266-016-9807-z>.
- Hodkinson, Stuart N., Hannah Lewis, Louise Waite, and Peter Dwyer. 2021. "Fighting or Fuelling Forced Labour? The Modern Slavery Act 2015, Irregular Migrants and the Vulnerabilising Role of the UK's Hostile Environment." *Critical Social Policy* 41, no. 1: 68–90. <https://doi.org/10.1177/0261018320904311>.
- Hsin, Lisa, Steve New, Irene Pietropaoli, and Lise Smit. 2021. *Accountability, Monitoring and the Effectiveness of Section 54 of the Modern Slavery Act: Evidence and Comparative Analysis*. London: Modern Slavery Policy and Evidence Centre.
- Independent Anti-Slavery Commissioner. 2022. *Independent Anti-Slavery Commissioner's Annual Report 2021–2022*. London: Independent Anti-Slavery Commissioner. <https://www.antislaverycommissioner.co.uk/media/1796/iasc-annual-report-2021-2022.pdf>.
- Ibsen, Christian Lyhne, and Maite Tapia. 2017. "Trade Union Revitalisation: Where Are We Now? Where to Next?" *Journal of Industrial Relations* 59, no. 2: 170–91. <https://doi.org/10.1177/0022185616677558>.
- International Labour Organization. 2018. *Ending Forced Labour by 2030: A Review of Policies and Programmes*. Geneva: International Labour Organization. [https://www.ilo.org/wcmsp5/groups/public/—ed\\_norm/—ipecc/documents/publication/wcms\\_653986.pdf](https://www.ilo.org/wcmsp5/groups/public/—ed_norm/—ipecc/documents/publication/wcms_653986.pdf).
- . 2022. *Global Estimates of Modern Slavery: Forced Labour and Forced Marriage*. Geneva: International Labour Organization and Walk Free Foundation. [https://www.ilo.org/global/topics/forced-labour/publications/WCMS\\_854733/lang-en/index.htm](https://www.ilo.org/global/topics/forced-labour/publications/WCMS_854733/lang-en/index.htm).
- Islam, Mohammed Azizul, and Chris J. Van Staden. 2022. "Modern Slavery Disclosure Regulation and Global Supply Chains: Insights from Stakeholder Narratives on the UK Modern Slavery Act." *Journal of Business Ethics* 180, no. 2: 455–79. <https://doi.org/10.1007/s10551-021-04878-1>.
- International Trade Union Confederation. 2016. *Scandal: Inside the Global Supply Chains of 50 Top Companies*. Brussels: International Trade Union Confederation. [https://www.ituc-csi.org/IMG/pdf/pdffrontlines\\_scandal\\_en-2.pdf](https://www.ituc-csi.org/IMG/pdf/pdffrontlines_scandal_en-2.pdf).
- Kampourakis, Ioannis. 2021. "The Postmodern Legal Ordering of the Economy." *Indiana Journal of Global Legal Studies* 28, no. 1: 101–201. <https://doi.org/10.2979/indjglolegstu.28.1.0101>.
- Kenway, Emily. 2021. *The Truth About Modern Slavery*. London: Pluto Press.
- Koenig-Archibugi, Mathias. 2017. "Does Transnational Private Governance Reduce or Displace Labor Abuses? Addressing Sorting Dynamics across Global Supply Chains." *Regulation & Governance* 11, no. 4: 343–52. <https://doi.org/10.1111/rego.12169>.
- Kollewe, Julia. 2018. "Carillion: What Went Wrong and Where Does It Go from Here?" *The Guardian*, January 15. <https://www.theguardian.com/business/2018/jan/15/carillion-what-went-wrong-liquidation-staff>.
- Kovick, David, and Rachel Davis. 2019. *Tackling Modern Slavery and Human Trafficking at Scale through Financial Sector Leverage*. Lichtenstein Initiative for a Financial Sector Commission on Modern Slavery and Human Trafficking Secretariat Briefing Paper no. 2. Tokyo: United Nations University.
- Lake, Quintin, Jamie MacAlister, Cindy Berman, Matthew Gitsham, and Nadine Page. 2016. "Corporate Leadership on Modern Slavery: How Have Companies Responded to the UK Modern Slavery Act One Year On?" London: Hult International Business School and Ethical Trading Initiative. [https://www.ethicaltrade.org/sites/default/files/shared\\_resources/corporate\\_leadership\\_on\\_modern\\_slavery\\_summary\\_0.pdf](https://www.ethicaltrade.org/sites/default/files/shared_resources/corporate_leadership_on_modern_slavery_summary_0.pdf).
- Landau, Ingrid. 2023. *Human Rights Due Diligence and Labour Governance*. Oxford: Oxford University Press.
- LeBaron, Genevieve. 2020. *Combatting Modern Slavery: Why Labour Governance Is Failing and What We Can Do About It*. Cambridge, UK: Polity Press.
- . 2021. "The Role of Supply Chains in the Global Business of Forced Labour." *Journal of Supply Chain Management* 57, no. 2: 29–42. <https://doi.org/10.1111/jscm.12258>.

- LeBaron, Genevieve, Jane Lister, and Peter Dauvergne. 2017. "Governing Global Supply Chain Sustainability through the Ethical Audit Regime." *Globalizations* 14, no. 6: 958–75. <https://doi.org/10.1080/14747731.2017.1304008>.
- LeBaron, Genevieve, and Andreas Rühmkorf. 2019. "The Domestic Politics of Corporate Accountability Legislation: Struggles over the 2015 UK Modern Slavery Act." *Socio-Economic Review* 17, no. 3: 709–43. <https://doi.org/10.1093/ser/mwx047>.
- Livnat, Yuval, and Hila Shamir. 2022. "Gaining Control? Bilateral Labor Agreements and the Shared Interest of Sending and Receiving Countries to Control Migrant Workers and the Illicit Migration Industry." *Theoretical Inquiries in Law* 23, no. 2: 65–94.
- Locke, Richard. 2013. *The Promise and Limits of Private Power Promoting Labour Standards in a Global Economy*. Cambridge, UK: Cambridge University Press.
- Locatelli, Giorgio, Efronsyni Konstantinou, Joana Geraldi, and Tristano Sainati. 2022. "The Dark Side of Projects: Dimensionality, Research Methods, and Agenda." *Project Management Journal* 53, no. 4: 367–81. <https://doi.org/10.1177/87569728221105041>.
- Mantouvalou, Virginia. 2020. "Structural Injustice and the Human Rights of Workers." *Current Legal Problems* 73, no. 1: 59–87. <https://doi.org/10.1093/clp/cuaa003>.
- . 2021. "Vulnerability to Exploitation Is Created by Law." In *Palermo Protocol 20th Anniversary Special: What Is Exploitation?*, edited by Neil Howard, Joel Quirk, and Cameron Thibos, 20–22. London: Beyond Trafficking and Slavery/openDemocracy. [https://cdn2.opendemocracy.net/media/documents/BTS\\_What\\_is\\_Exploitation.pdf](https://cdn2.opendemocracy.net/media/documents/BTS_What_is_Exploitation.pdf).
- Mayer, Fredrick W., and Nicola Phillips. 2017. "Outsourcing Governance: States and the Politics of a 'Global Value Chain World'." *New Political Economy* 2, no. 2: 134–52. <https://doi.org/10.1080/13563467.2016.1273341>.
- McGaughey, Fiona, Hinrich Voss, Holly Cullen, and Matthew C. Davis. 2022. "Corporate Responses to Tackling Modern Slavery: A Comparative Analysis of Australia, France and the United Kingdom." *Business and Human Rights Journal* 7, no. 2: 249–70. <https://doi.org/10.1017/bhj.2021.47>.
- McGrath, Siobhan, and Samantha Watson. 2018. "Anti-slavery as Development: A Global Politics of Rescue." *Geoforum* 93: 22–31. <https://doi.org/10.1016/j.geoforum.2018.04.013>.
- McGrath, Siobhan, and Fabiola Mieres. 2022. "The Business of Abolition: Marketizing 'Anti-slavery'." *Development and Change* 53, no. 1: 3–30. <https://doi.org/10.1111/dech.12701>.
- McVey, Marisa. 2022. "Untangling the Authority of External Experts in the Corporate Implementation of the UN Guiding Principles on Business and Human Rights." *Journal of Human Rights* 2, no. 5: 620–38.
- Meehan, Joanne, and Bruce D. Pinnington. 2021. "Modern Slavery in Supply Chains: Insights through Strategic Ambiguity." *International Journal of Operations and Production Management* 41, no. 2: 77–101. <https://doi.org/10.1108/IJOPM-05-2020-0292>.
- Monciardini, David, Nadi Bernaz, and Alexandra Andhov. 2021. "The Organizational Dynamics of Compliance with the UK Modern Slavery Act in the Food and Tobacco Sector." *Business & Society* 60, no. 2: 288–340. <https://doi.org/10.1177/0007650319898195>.
- MSI Integrity. 2020. *Not Fit-for-Purpose: The Grand Experiment of Multi-Stakeholder Initiatives in Corporate Accountability, Human Rights and Global Governance*. Berkeley, CA: MSI Integrity. [https://www.msi-integrity.org/wp-content/uploads/2020/07/MSI\\_Not\\_Fit\\_For\\_Purpose\\_FORWEBSITE.FINAL\\_.pdf](https://www.msi-integrity.org/wp-content/uploads/2020/07/MSI_Not_Fit_For_Purpose_FORWEBSITE.FINAL_.pdf).
- New, Stephen. 2015. "Modern Slavery and the Supply Chain: The Limits of Corporate Social Responsibility?" *Supply Chain Management: An International Journal* 20, no. 6: 697–707.
- New, Stephen, and Lisa Hsin. 2021. "Deconstructing Modern Slavery Statements: A Detailed Analysis of Arcadia Group and Babcock International." Working Paper. January 18. <https://doi.org/10.2139/ssrn.3768495>.
- Niezna, Maayan. 2022. "Paper Chains: Tied Visas, Migration Policies, and Legal Coercion." *Journal of Law and Society* 49, no. 2: 362–84. <https://doi.org/10.1111/jols.12366>.
- Nolan, Justine. 2018. "Hardening Soft Law: Are the Emerging Corporate Social Disclosure and Due Diligence Laws Capable of Generating Substantive Compliance with Human Rights Norms?" *Revista de Direito Internacional* 15, no. 2: 64–83.
- O'Connell Davidson, Julia. 2006. "Will the Real Sex Slave Please Stand Up?" *Feminist Review* 83, no. 1: 4–22. <https://doi.org/10.1057/palgrave.fr.9400278>.

- Office for National Statistics. 2020. *Labour Market Overview*, UK. London: Office for National Statistics. <https://www.ons.gov.uk/employmentandlabourmarket/peopleinwork/employmentandemployeetypes/bulletins/uklabourmarket/february2020>.
- Phillips, Nicola. 2015. "Private Governance and the Problem of Trafficking and Slavery in Global Supply Chains." In *Vulnerability, Exploitation and Migrants: Insecure Work in a Globalised Economy*, edited by Louise Waite, Gary Craig, Hannah Lewis, and Klara Skrivankova, 15–27. London: Palgrave Macmillan.
- Phillips, Nicola, Genevieve LeBaron, and Sara Wallin. 2018. "Mapping and Measuring the Effectiveness of Labour-related Disclosure Requirements for Global Supply Chains." International Labour Office Research Department Working Paper no. 32. [https://www.ilo.org/wcmsp5/groups/public/—dgreports/—inst/documents/publication/wcms\\_632120.pdf](https://www.ilo.org/wcmsp5/groups/public/—dgreports/—inst/documents/publication/wcms_632120.pdf).
- Raigrodski, Dana. 2015. "Economic Migration Gone Wrong: Trafficking in Persons through the Lens of Gender, Labor, and Globalization." *Indiana International & Comparative Law Review* 25, no. 1: 79–114. <https://doi.org/10.18060/7909.0006>
- . 2016. "Creative Capitalism and Human Trafficking: A Business Approach to Eliminate Forced Labor and Human Trafficking from Global Supply Chains." *William & Mary Law Review* 8, no. 1: 71–134.
- Reinecke, Juliane, and Jimmy Donaghey. 2021. "Towards Worker-driven Supply Chain Governance: Developing Decent Work through Democratic Worker Participation." *Journal of Supply Chain Management* 57, no. 2: 14–28. <https://doi.org/10.1111/jscm.12250>.
- Re:Structure Lab. 2021. *Forced Labour Evidence Brief: Due Diligence and Transparency Legislation*. Sheffield, UK: Sheffield, Stanford, and Yale Universities. [https://static1.squarespace.com/static/6055c0601c885456ba8c962a/t/60660e41b634ac7381898670/1617301058609/ReStructureLab\\_DueDiligenceAndTransparencyLegislation\\_April2021.pdf](https://static1.squarespace.com/static/6055c0601c885456ba8c962a/t/60660e41b634ac7381898670/1617301058609/ReStructureLab_DueDiligenceAndTransparencyLegislation_April2021.pdf).
- Rhodes, Chris. 2019. "Construction Industry: Statistics and Policy." Briefing Paper no. 01432. <https://researchbriefings.files.parliament.uk/documents/SN01432/SN01432.pdf>.
- Robb, Benjamin, and Snežina Michailova. 2022. "Multinational Enterprises' Narratives About and Approaches to Modern Slavery: An Exploratory Study." *Review of International Business and Strategy* 33, no. 2: 199–218. <https://doi.org/10.1108/RIBS-10-2021-0128>.
- Rühmkorf, Andreas. 2018. "From Transparency to Due Diligence Laws? Variations in Stringency of CSR Regulation in Global Supply Chains in the 'Home State' of Multinational Enterprises." In *Globalisation of Corporate Social Responsibility and Its Impact on Corporate Governance*, edited by Jean J. du Plessis, Umakanth Varottil, and Jeroen Veldman, 177–201. Cham, Switzerland: Springer.
- Russell, Erica, Lee Jaquetta, and Clift Roland. 2018. "Can the SDGs Provide a Basis for Supply Chain Decisions in the Construction Sector?" *Sustainability* 10, no. 3: 629–48. <https://doi.org/10.3390/su10030629>.
- Sarfaty, Galit A. 2015. "Shining Light on Global Supply Chains." *Harvard International Law Journal* 56, no. 2: 419–63.
- . 2020. "Translating Modern Slavery into Management Practice." *Law & Social Inquiry* 45, no. 4: 1027–51. <https://doi.org/10.1017/lsi.2019.77>.
- Seely, Antony. 2019. "Self-employment in the Construction Industry." Briefing Paper no. 196. <https://commonslibrary.parliament.uk/research-briefings/sn00196/>.
- Shamir, Hila. 2012. "A Labor Paradigm for Human Trafficking." *University of California Los Angeles Law Review* 60, no. 1: 76–136.
- . 2018. "Anti-trafficking in Israel: Neo-abolitionist Feminists, Markets, Borders and the State." In *Governance Feminism: An Introduction*, edited by Janet Halley, Prabha Kotiswaran, Rachel Rebouché, and Hila Shamir, 149–200. Minneapolis: University of Minnesota Press.
- Shankley, William. 2021. "Gender, Modern Slavery and Labour Exploitation: Experiences of Male Polish Migrants in England." *Journal of Ethnic and Migration Studies* 49, no. 5: 1274–91. <https://doi.org/10.1080/1369183X.2021.2000853>.
- Simic, Agnes, and Brad K. Blitz. 2019. "The Modern Slavery Regime: A Critical Evaluation." *Journal of the British Academy* 7, no. S1: 1–34. <https://doi.org/10.5871/jba/007s1.001>.



- Simmons, Beth A., Paulette Lloyd, and Brandon M. Stewart. 2018. "The Global Diffusion of Law: Transnational Crime and the Case of Human Trafficking." *International Organization* 72, no. 2: 249–81. <https://doi.org/10.1017/S0020818318000036>.
- Skrivankova, Klara. 2010. *Between Decent Work and Forced Labour: Examining the Continuum of Exploitation*. York, UK: Joseph Rowntree Foundation. <https://www.jrf.org.uk/report/between-decent-work-and-forced-labour-examining-continuum-exploitation>.
- Stevenson, Mark, and Rosanna Cole. 2018. "Modern Slavery in Supply Chains: A Secondary Data Analysis of Detection, Remediation and Disclosure." *Supply Chain Management: An International Journal* 12, no. 3: 81–99. <https://doi.org/10.1108/SCM-11-2017-0382>.
- Suprun, Emiliya, Ranoufa AlMeshari, Tingting Liu, Rodney Anthony Stewart, and Shane Duran. 2022. "Beyond Compliance in the Construction Sector: Mapping the Modern Slavery Statements through Content Analysis." *IOP Conference Series: Earth and Environmental Science* 1101, no. 3: 032018. <https://doi.org/10.1088/1755-1315/1101/3/032018>.
- Trautrim, Alexander, Stefan Gold, Anne Touboulic, Caroline Emberson, and Helen Carter. 2020. "The UK Construction and Facilities Management Sector's Response to the Modern Slavery Act: An Intra-industry Initiative against Modern Slavery." *Business Strategy & Development* 4, no. 3: 279–93. <https://doi.org/10.1002/bsd2.158>.
- United Nations Office on Drugs and Crime. 2020. *Global Report on Trafficking in Persons 2020*. Vienna: United Nations Office on Drugs and Crime. [https://www.unodc.org/documents/data-and-analysis/tip/2021/GLOTiP\\_2020\\_15jan\\_web.pdf](https://www.unodc.org/documents/data-and-analysis/tip/2021/GLOTiP_2020_15jan_web.pdf).
- UK Home Office. 2015. *Transparency in Supply Chains: A Practical Guide*. London: UK Government. <https://www.gov.uk/government/publications/transparency-in-supply-chains-a-practical-guide>.
- Unseen Modern Slavery and Exploitation Helpline. 2023. "Modern Slavery in Construction Is on the Rise." *Unseen UK*, October 30. <https://www.unseenuk.org/modern-slavery-in-construction-is-on-the-rise/>.
- US Department of State. 2022. *Trafficking in Persons Report*. Washington, DC: US Department of State. July. <https://www.state.gov/wp-content/uploads/2022/10/20221020-2022-TIP-Report.pdf>.
- Van Buren III, Harry J., and Judith Schrempf-Stirling. 2022. "Beyond Structural Injustice: Pursuing Justice for Workers in Post-Pandemic Global Value Chains." *Business Ethics, the Environment & Responsibility* 31, no. 4: 969–80. <https://doi.org/10.1111/beer.12466>.
- Van Dyke, Ruth. 2019. "The UK's Response to Modern Slavery: Law, Policy and Politics." In *The Modern Slavery Agenda, Policy: Politics and Practice Book*, edited by Gary Craig, Alex Balch, Hannah Lewis, and Louise Waite, 47–74. Bristol, UK: Policy Press and Bristol University Press.
- Voss, Hinrich, Matthew Davis, Mark Sumner, Louise Waite, Ilsa A. Ras, Divya Singhal, and Deepti Jog. 2019. "International Supply Chains: Compliance and Engagement with the Modern Slavery Act." *Journal of the British Academy* 7, no. S1: 61–76. <https://doi.org/10.5871/jba/007s1.061>.
- Walk Free Foundation. 2017. *Inquiry into Establishing a Modern Slavery Act in Australia, Submission 91, 28 April 2017*. Canberra: Walk Free Foundation. <https://www.business-humanrights.org/sites/default/files/Sub%2091%20WF%20%281%29.pdf>.
- Wen, Shuangge. 2016. "The Cogs and Wheels of Reflexive Law: Business Disclosure under the Modern Slavery Act." *Journal of Law and Society* 43, no. 3: 327–59. <https://doi.org/10.1111/j.1467-6478.2016.00758.x>.
- Wray-Bliss, Edward, and Grant Michelson. 2021. "Modern Slavery and the Discursive Construction of a Propertied Freedom: Evidence from Australian Business," *Journal of Business Ethics* 179: 649–63. <https://doi.org/10.1007/s10551-021-04845-w>.