

# Compliance & Risk

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## Headlines

- Recommendations on ethnicity pay gap reporting, p.16
- ‘Loyalty penalty’ for insurance renewals abolished from 2022, p.18
- Worldwide agreement on disclosure of climate change risks imminent, p.19

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## Commissioners respond to modern slavery super-complaint

The UK Independent Anti-Slavery Commissioner, Dame Sara Thornton, and the Victims’ Commissioner, Dame Vera Baird QC, (‘the Commissioners’), have responded to a government report prepared as a result of a super-complaint submitted in 2019 by Hestia, the leading provider of support for victims of modern slavery in London and the South East.

A super-complaint is a complaint that “a feature, or combination of features, of policing in England and Wales by one or more than one police force is, or appears to be,

significantly harming the interests of the public (Section 29A, Police Reform Act 2002)”.

In this case, the super-complaint concerned the methods used by police to identify, deal with and support victims, as well as the way that modern slavery crimes are investigated.

Specific concerns raised by Hestia included that non-specialist police officers fail to recognise the signs of exploitation and fail in their duty to report modern slavery to the Home Office; that police officers tend to

treat victims as immigration offenders, and do not take immediate steps to make a victim feel safe; that police forces do not adequately investigate cases that come to their attention, and also fail to provide adequate training to frontline officers.

Hestia also complained that victims of modern slavery are treated as criminals when they have been forced to commit criminal activities by their exploiters, despite the existence of the s45 defence in the Modern Slavery Act 2015.

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## DPC gives Facebook six weeks to respond to data transfer investigation

On 21 May 2021, the Irish Data Protection Commissioner (DPC) gave Facebook a six week deadline within which to respond to its inquiry launched in August 2020 amid European Union concerns that US government surveillance may not respect the privacy rights of EU citizens when their personal data are sent to the US for commercial use.

A provisional order, made

earlier in the investigation by the DPC and subsequently frozen by the courts, states that the main mechanism Facebook uses to transfer EU user data to the US “cannot in practice be used”.

A High Court ruling has lifted the freeze on the provisional order, triggering the DPC’s request for Facebook to provide the regulator with its submissions.

The ruling does not trigger an immediate halt to data flows between the EU and the US, but Austrian privacy activist Max Schrems has said that he believes the decision makes it inevitable.

A spokesman for Facebook said the company looked forward to defending its compliance with EU rules, citing the regulator’s provisional order

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