

Crown Prosecution Service
Delivering justice



Modern Slavery Report

2017–18

Foreword



The trafficking and exploitation of people is one of the most serious transnational organised crimes affecting every country in the world today. The UK government has made tackling modern slavery a national priority.

The sheer scale of modern slavery and human trafficking, which results in the abuse and exploitation of significant numbers of vulnerable victims, means that law enforcement and prosecutors need to work together to identify and prosecute the criminals responsible – and to confiscate their very significant profits. We have made good progress in our prosecution of these crimes in recent years and we are personally committed to further improving our response.

While trafficking for sexual exploitation remains a priority, we have seen a growing number of cases involving the trafficking of vulnerable male victims into forced labour being referred to us. Our most effective responses have been as a result of close partnership working with the police and other partner agencies such as local authorities, health services and NGOs who provide essential victim care and sustained support throughout.

In a particularly challenging case, we prosecuted a Slovakian family for trafficking desperate and destitute people from Slovakia and the Czech Republic and forced them into menial work with little or no pay. Some of the victims suffered from mental health problems and learning disabilities. They were all kept in cellars or in crowded rooms. They were controlled by threats of violence and intimidation, were provided with only small amounts of food and told they needed to pay back the money they owed for transport and housing. Seven defendants were convicted and sentenced to a total of 40 years in prison and their assets are subject to confiscation proceedings.

The CPS is playing a key role in delivering the government's ambition to tackle modern slavery. We are developing our international work as a trusted and respected partner that delivers results for the UK and other countries. Examples of the work we are taking forward in support of the Prime Minister's commitments are outlined in this report.

To extend our international work with other prosecuting authorities overseas, earlier this year I hosted an international summit of senior prosecutors to examine ways in which we could collaborate further to disrupt and prosecute traffickers. Over three days we developed ideas which I hope will strengthen our united efforts to tackle human trafficking and modern slavery, as well as identifying ways in which we can better support victims.

This year, I appointed a Chief Crown Prosecutor lead for modern slavery work across the CPS. Siobhan Blake from CPS Mersey Cheshire will lead on strengthening our national response and ensure consistency across all CPS Areas. I hope that we will then benefit more from lessons learned and share good practice.

A handwritten signature in black ink that reads "Alison Saunders". The signature is written in a cursive, flowing style.

Alison Saunders CB
Director of Public Prosecutions
August 2018

The role of the CPS and our functions

The main role of the CPS is to prosecute cases and bring perpetrators of modern slavery offences to justice. The scale and complexity of modern slavery requires prosecutors to work closely with law enforcement to build strong cases to put before the courts. While the police are normally responsible for conducting enquiries and investigations into alleged crimes, in large scale and complex investigations requiring international cooperation, prosecutors will often be directly involved from the outset. Prosecutors provide early investigative advice to the police, advising on lines of enquiry. In many cases, that means seeking assistance from, and working with, overseas partners. We also have a significant role to play in supporting victims who are giving evidence in trials, many of whom are afraid and extremely vulnerable.

The CPS has an important role in developing strategy and policy at a national and international level and helping to shape legislation so that we can prosecute modern slavery robustly.

We also need to remove the profits of crime to prevent traffickers from investing in further offending and to deter others. Our Proceeds of Crime Division restrains, confiscates and realises the assets of those convicted of modern slavery offences. They are responsible for obtaining restraint orders and conducting all confiscation proceedings at court. In a recent case of trafficking for forced labour in Newcastle, £16,500 was confiscated from two defendants and £10,000 in reparation orders (compensation) were made for the victims.

We also help our international colleagues to recover the proceeds of crime on our behalf, through asset-sharing agreements, as well as helping them to develop their own capacity for asset recovery. We have a number of criminal justice advisors based overseas who focus on asset recovery.

Prosecutors draft and issue European Arrest Warrants to extradite defendants to stand trial in the UK. Our Extradition Unit also conducts proceedings on behalf of foreign jurisdictions seeking the extradition of fugitives located in the UK to stand trial or serve a sentence abroad.

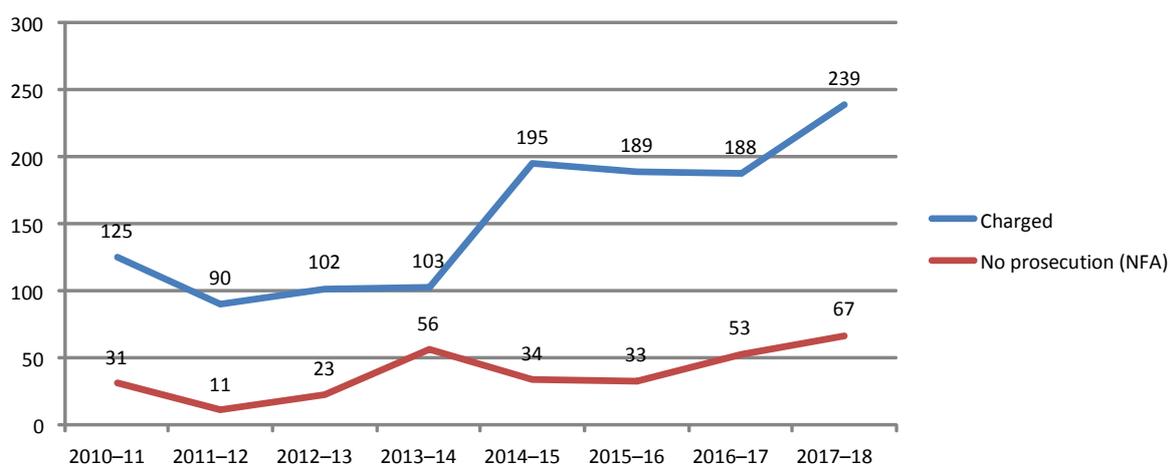
During 2017–18, we delivered national mandatory face-to-face training for prosecutors to develop their expertise and build further resilience. Prosecutors in all CPS Complex Casework Units, central casework divisions and overseas CJAs received training which focuses on the early investigative advice stage to strengthen investigations and ensure high quality casework. We delivered two training events with the Metropolitan Police Service (MPS) on Joint Investigation Teams (JITs) in modern slavery cases. We involved colleagues from Europol and Eurojust as well as Romanian and Hungarian police and prosecutors to explain how roles can be coordinated in JITs to bring about a successful prosecution.

The CPS response

The government's strategy is based upon four strands: pursue, prevent, prepare and protect. 'Pursue' remains a priority response for the CPS by bringing successful prosecutions in these cases. There was a 31% increase in the numbers of modern slavery (MS) flagged¹ cases referred to the CPS by law enforcement for early advice and prosecution. The number of suspects for which there was a positive decision to charge increased by 27.1%, from 188 to 239. There has also been an increase in the conviction rate: 65.1%, up from 61.4% last year.

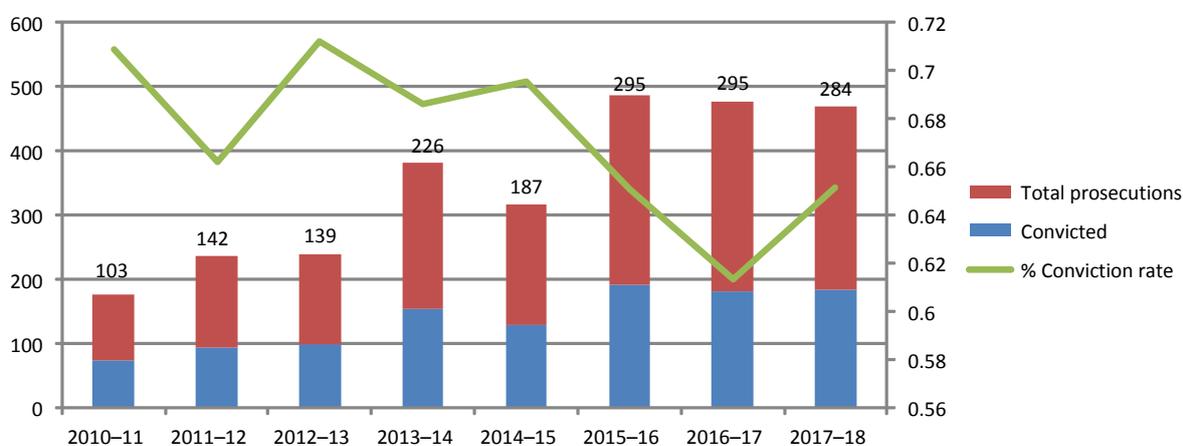
¹ Flagged cases are those that have been investigated as modern slavery and referred to the CPS for charge and prosecution using MS legislation or other, serious offences where the evidence obtained does not support an offence under MS legislation.

Charging decisions for suspects flagged as modern slavery



	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18
Charged	125	90	102	103	195	189	188	239
% Charged	76.7%	79.6%	77.9%	60.2%	83.3%	76.8%	69.4%	67.3%
No prosecution (NFA)	31	11	23	56	34	33	53	67
% No prosecution (NFA)	19.0%	9.7%	17.6%	32.7%	14.5%	13.4%	19.6%	18.9%
Pre-charge decisions	163	113	131	171	234	246	271	355

Prosecutions and convictions for defendants flagged as modern slavery



	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18
Convicted	73	94	99	155	130	192	181	185
% Conviction rate	70.9%	66.2%	71.2%	68.6%	69.5%	65.1%	61.4%	65.1%
Not convicted	30	48	40	71	57	103	114	99
Total prosecutions	103	142	139	226	187	295	295	284

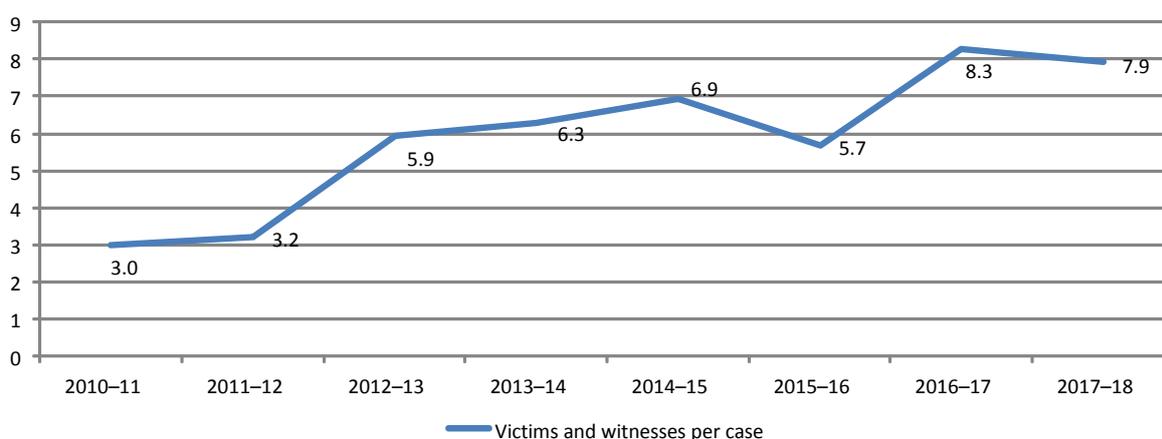
Central to successful prosecution is early engagement between prosecutors and investigators to consider prosecution strategy and provide early investigative advice (EIA). During 2017-18 there was a 119% increase in cases referred to the CPS for EIA. The CPS also brought charges in over 77% of cases referred by the police. EIA is important in bringing prosecutors and police together from the

start to identify all reasonable lines of enquiry that should be followed, as well as managing the significant volumes of material often generated as part of the investigation. Police and prosecutors need to work closely in considering what should be served as evidence and what should be disclosed.

EIA helps build strong cases to go before the courts, reducing the burden of proving the case from the victims, or where possible, achieving victimless prosecutions and helping to weed out weak cases at an early stage. Many cases we prosecute require evidence from overseas and early engagement is crucial in obtaining that. This year has also seen an increase in the number of joint investigation teams (JITs) in which the CPS is participating. A JIT is a team of investigators and prosecutors from at least two EU Member States, established to investigate and prosecute cases where a crime is committed in more than one country. There are currently 25 JITs on modern slavery, all of which involve the CPS; 15 are in London.

The time taken for modern slavery prosecutions from investigation to finalisation is increasing. This year it took nearly three years on average from offence to completion. This is a doubling of the time taken in 2015 and reflects the challenges in investigating and prosecuting such cases, with greater complexities, multiple defendants and multiple victims. Vulnerable victims often require interpreters and intermediaries in order to give evidence. The average number of victims and witnesses being supported in giving evidence in court in modern slavery cases has been increasing over time – from an average of three in 2011, to 7.9 in 2017–18.

Victims and witnesses per case



	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18
No. victims and witnesses	209	316	516	668	639	980	1,291	1,123
Count case	70	98	87	106	92	172	156	142
Victims and witnesses per case	3.0	3.2	5.9	6.3	6.9	5.7	8.3	7.9

The exploitation of UK children by members of drug networks and gangs

The nature of victim referrals is changing too, with an increase in young people exploited in the UK for child sexual exploitation and county-line offending. “County lines” is the term for urban gangs supplying drugs to suburban areas and market and coastal towns using dedicated mobile phone lines or ‘deal lines’. It involves the exploitation of vulnerable people, often children, by violent members of drug networks to move and sell drugs across the country. The CPS successfully prosecuted the first county lines case under the Modern Slavery Act. Two defendants were sentenced in April to a

total of 19 years' imprisonment and each received 20-year Prevention Orders to restrict their activities on their release from custody. Further cases are awaiting trial.

Prevention and Risk Orders

The Modern Slavery Act introduced new Slavery and Trafficking Prevention Orders and Risk Orders which can be applied for to restrict the activities of convicted defendants (Prevention Orders) and restrict the risk of harm and prevent crime by defendants not yet convicted, or who are acquitted (Risk Orders). We have been working with law enforcement colleagues at home and abroad to obtain and enforce these Orders, even where the offences may take place beyond our borders.

In a case this year, nine suspects were subjects of a lengthy investigation for trafficking for labour exploitation. Risk Orders were applied to restrict their activities while enquiries continued. Two of the suspects breached one of the conditions in their Orders (not to handle bank cards of named victims). The CPS prosecuted them for the first breaches of Risk Orders; they were sentenced to three and a half years and two years and four months in prison respectively.

Case studies

Trafficking very vulnerable men into forced labour

Four defendants were convicted of conspiracy to commit human trafficking offences, conspiring to force people into labour and conspiring to conceal criminal property. Fourteen victims were recovered. Vulnerable Polish men were recruited and transported to the north east of England on the promise of well-paid work. When they arrived, their ID papers were confiscated; they were housed in cramped conditions and forced into hard, humiliating work paid at the minimum wage. Bank accounts were opened for the men but they were controlled by the defendants. Bank cards were retained by the defendants and the victims' salaries were paid into the accounts. Any resistance was met with violence and intimidation. The treatment of the victims and the conditions in which they were made to live were appalling, and they were subjected to abuse and violence and had to forage in bins for leftover food. When they tried to escape they were beaten.

A proactive investigation was launched to gather evidence and material, a prosecution strategy was agreed and safeguarding issues for victims were assessed. The agencies involved included the police, the National Crime Agency (NCA), the Gangmasters and Labour Abuse Authority (GLAA), the CPS, health services, local authorities and charitable organisations. This cooperation enabled long-term support to be planned for the victims to address their complex needs and vulnerabilities and to support them through the criminal justice process. Over 100 law enforcement officers were involved in the arrests and recovery of victims, along with interpreters. The defendants were sentenced to a total of 32 years' imprisonment.

Trafficking young women and girls into forced labour

After forcing young Vietnamese women to work in nail bars across the country, two women and a man were convicted of offences of human trafficking for labour exploitation, conspiracy to arrange or facilitate the movement of people for labour exploitation and conspiracy to

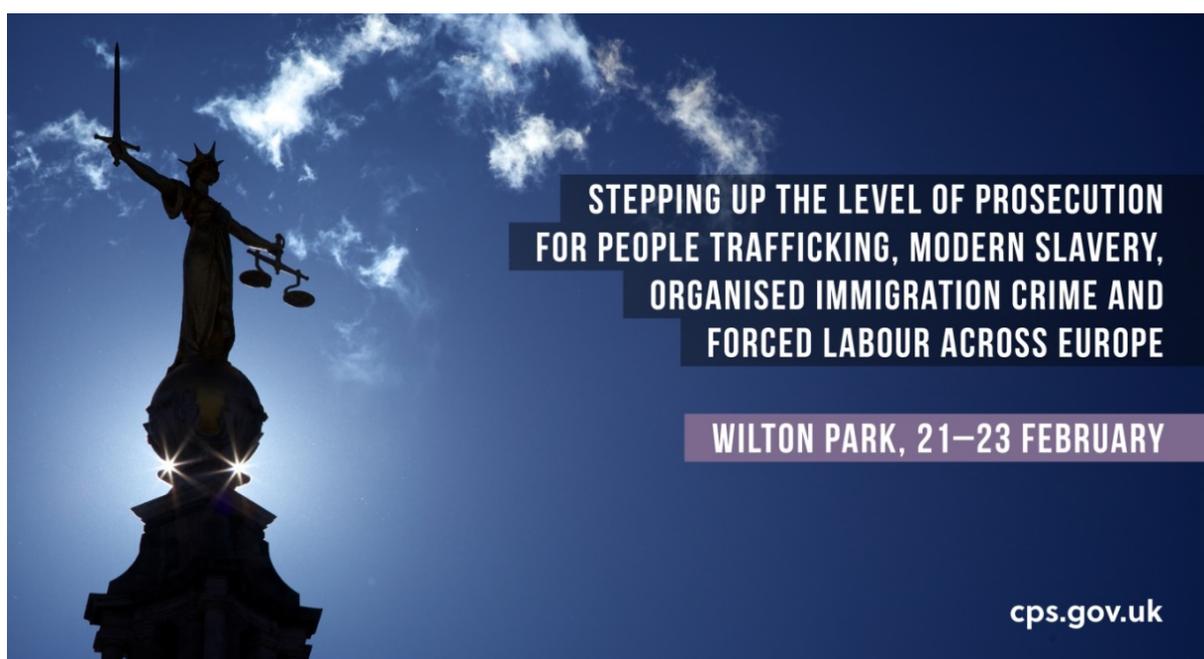
require others to perform forced or compulsory labour. This is believed to be the first case of Vietnamese defendants convicted for trafficking victims into labour exploitation.

The investigation involved five police forces and the NCA, and started after two young women were placed into social care following an inspection of a nail bar in Bath in 2016. Both young women went missing and police traced them to Birmingham and then to a nail bar in East Staffordshire. Arrests were made at this nail bar where two other vulnerable young women were being exploited. This operation expanded rapidly with links made to Bath, Cheltenham, Gloucester, Burton-on-Trent, Derbyshire and London. Through detailed analysis and intelligence work, police were able to connect all the defendants to each other and prove they were involved in the movement of young girls and women across the country to work in nail bars.

The victims had difficult and traumatic childhoods and were treated badly by their traffickers - forced to live and work in squalid conditions, with little or no pay, and subject to physical and verbal abuse. The defendants were sentenced in January 2018 to five years' imprisonment, four years' imprisonment and two years' imprisonment, suspended for two years. Two defendants are subject to Prevention Orders for 10 years and one defendant for life.

The International Summit

To support the government's ambition to tackle modern slavery internationally and encourage a global response, the DPP convened a three-day international summit on modern slavery in February 2018. Alongside the DPP for Northern Ireland and the Lord Advocate for Scotland, Alison Saunders was joined by Prosecutors General and senior expert prosecutors from 15 countries in Europe, Nigeria, Albania, Sudan and Argentina, international organisations including Eurojust, Interpol and Europol, and the UK's National Crime Agency and national police leads. Alison Saunders emphasised that "the scale of human trafficking and modern slavery around the world today means law enforcement and prosecutors need to do more to disrupt and prosecute the criminals responsible — and to confiscate their very significant profits".



The summit was organised in response to a call for action last year at the United Nations by Prime Minister Theresa May for greater international cooperation in the fight against modern slavery. We had already agreed action to improve our collective prosecution response towards targeting the trail of criminal conduct across continents through greater international cooperation. This included attacking and recovering the criminal profits of traffickers and those who support them, as well as pursuing wider work with external agencies.

The overarching objectives were considered before issuing a survey ahead of the event to identify common problems and priorities across the participating countries. The responses included the need for better collaboration and co-ordination between police and prosecutors and the need to increase joint investigations to dismantle organised crime groups. Financial investigation strategies to remove profits were also highlighted, as were policies to support the identification, protection and safe repatriation of victims. Better, earlier, faster international co-operation - including the exchange of intelligence, evidence and assistance in complex cases were seen as vital, along with direct channels of communication. The summit focused on:

- strengthening the prosecution process;
- sharing best practice for supporting victims and witnesses;
- stepping up activity to trace, restrain and confiscate the proceeds of crime; and
- identifying opportunities for States to work together to disrupt modern slavery and maximise deterrents, involving wider work with external agencies.

Particular issues discussed during the summit included having sustained support in place for victims which is tailored to their challenging needs and culturally sensitive, so that we can communicate with them and secure their evidence - especially where they return to their home country. Further work across all countries with internet service providers (ISPs) was also identified, as websites are frequently used to recruit and exploit victims. The summit provided a great opportunity for different countries and agencies to share initiatives and good practice and further development work has flowed from this. There was also enthusiasm to establish a strong and active international network of expert prosecutors to tackle trafficking, exploitation and forced labour, with law enforcement.

It also set the agenda for continuing bilateral and multilateral dialogue aimed at removing blockages, gaps and obstacles to effective international co-operation between our countries. Follow-up work has already started on the commitments made, including:

- Sharing the recommendations with all who attended the summit, inviting them to work with us and share any initiatives. This has already resulted in a number of positive responses;
- Meeting partner agencies across government to agree who may be best placed to progress activities;
- Supporting training on effective victim responses during investigation with assistance from Europol and CEPOL (the EU Agency for law enforcement training);
- Exploring opportunities to develop joint training programmes for operational prosecutors in source, transit and destination countries. We have approached two Institutes (in Europe and in East Africa) to consider frontline prosecutor judicial co-operation seminar pilots; and
- Inviting international partners to hold an annual conference for prosecuting authorities and law enforcement agencies working in the field of human trafficking and modern slavery and organised immigration crime, to share best practice and the latest developments.

CPS international work overseas

The government has recognised how much more can be achieved when we partner with other countries to attack crime abroad as well as prosecuting crimes committed at home. It is for this reason that the CPS has a network of specialist prosecutors in countries which are particularly important to us for certain types of crime, such as human trafficking and organised crime.



We have a network of around 30 specialist prosecutors based overseas. They act as the link between foreign and UK prosecutors and law enforcement to progress our cases and build relationships with key partners in the countries in which they are based. This can help us identify who best to contact for enquiries, to obtain evidence in investigations and to support prosecutions and recovery of assets in the host country. They can also assist in extraditing defendants back to the UK to stand trial here. While modern slavery is not the primary focus of their role in all countries, the work they do will benefit and support all cases of modern slavery and trafficking.

In a recent case the CPS extradited a trafficker from the UK to Greece to stand trial for trafficking over 95 victims. Fifteen of his co-defendants had been convicted and sentenced to a total of 152 years in prison for their roles. The criminal justice advisor based in Greece worked with the Greek authorities to expedite his extradition order. He was convicted and sentenced to 13 years' imprisonment.

There is widespread recognition of the expertise of CPS prosecutors in supporting authorities overseas in strengthening their rule of law and their investigative and prosecution functions. In this way we help to build the capability of partners in source countries by sharing the UK's experience and expertise based on our domestic approach to tackling modern slavery. Prosecutors work in partnership with the NCA and other UK law enforcement in supporting capacity-building and criminal justice reforms.

In Nigeria, a CPS specialist prosecutor is working with law enforcement colleagues across government to share their combined expertise with law enforcement and prosecutors from the drugs agency and the National Agency for Prohibition of Trafficking in Persons (NAPTIP) to support their response to trafficking. This includes working with them on cases from start to finish, improving their asset recovery capability and supporting judicial reform programs.

The CPS prosecutor is also providing casework mentoring to prosecutors in Nigeria and Mali who are conducting an investigation into 45 victims of trafficking between those two countries. The victims, along with five suspected traffickers, were repatriated to Nigeria. The CPS specialist prosecutors in Nigeria and Senegal have been helping to ensure evidence-sharing is effective. The CPS advisor in Nigeria is mentoring Nigerian prosecutors and investigators responsible for the case to ensure it is robustly investigated and prosecuted. An example of assistance was ensuring the statements taken from the victims were evidentially compliant and sufficient to ensure admissibility. If successful, this will be the largest such case in Nigeria.

The CPS also deploys prosecutors through the government's organised immigration crime (OIC) taskforce (Operation Invigour) to prevent and disrupt serious immigration crime upstream. The taskforce includes the NCA, the Home Office, Immigration Enforcement and CPS criminal justice advisors. The taskforce works with the authorities to disrupt and prosecute in source and transit countries, before the criminal activity reaches the UK. This can prevent further harm and exploitation of smuggled migrants.

One of our experienced prosecutors has recently undertaken two visits to China to deliver training to the judiciary, prosecuting authorities and law enforcement on human trafficking. Useful contacts have been made through the Embassy for further information sharing.

By actively building relationships with prosecutors and law enforcement abroad we can ensure that our collective response is strengthened by strong international co-operation and co-ordination. The CPS is undertaking detailed planning work to prepare for changes that may need to be made to the way in which we operate after Brexit.

The inspection and our response

In December 2017 HMCPs Inspectorate published its report: *"The CPS response to the Modern Slavery Act 2015"* which highlighted the positive work being undertaken by CPS staff overseas working with other countries to disrupt slavery and trafficking and strengthen the rule of law. The report commented on the effective joint working with police and the importance of ensuring that cases were prosecuted by lawyers of the right experience, particularly in complex cases. Inspectors identified a series of issues for the CPS to address relating to oversight, governance and quality assurance, while ensuring that training and best practice is shared. These recommendations are accepted and we are making progress in implementing our response.

We have appointed a Chief Crown Prosecutor champion to lead on and coordinate work across the CPS Areas. We are developing a new governance and assurance structure and processes and have appointed a Senior Legal Policy Advisor to enhance our resilience. We have delivered training to all relevant prosecutors nationally, as well two events on JITs in modern slavery cases. We ensure that our performance data across all strands of modern slavery and human trafficking crime types is produced on a bi-monthly basis which is rigorously analysed for trends in performance. These are

shared with other agencies at quarterly strategic meetings to ensure that there is a whole picture of activity and trends.

Conclusion

The CPS has made significant progress in its response to modern slavery and in supporting the government's priorities. However we are aware that there is much more to do, not just through our domestic response, but through increasing and building on our efforts overseas. The international summit this year provided the impetus for much more work which we are building on, working with partners here and in other countries. Dealing with the crime at source through prevention and disruption means there will be fewer and fewer opportunities for criminals to operate here with impunity.