Modern Slavery & Human Trafficking

Improving Professional Responses to Victims of Human Trafficking

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UK Work

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Experts by experience, research and study

Significant police & investigation experience

Led complicated domestic and international human trafficking investigations

Detailed forensic review of each case

Every client interviewed - using a trauma informed cognitive interview model

Provide expert evidence to the Courts, Immigration Tribunals, UK and European Parliaments and the European Court on Human Rights

International Work

SpecialistPolicing Consultancy

We design and deliver training for law enforcement, prosecutors, Judges, NGOs and civil society members around the world building capacity of individuals and organisations to combat human trafficking and modern slavery.

Delivered training in over 40 countries.

Current projects in Albania, Libya, Malta, Poland, Serbia and Ukraine.

On the experts' roster for:

- Council of Europe (CoE),
- the Organisation for Security and Cooperation in Europe (OSCE),
- the International Organisation for Migration (IOM), and
- the International Criminal Police Organization (INTERPOL).

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Where do people get their understanding of human trafficking from?

Photo: Taken (2008) Courtesy of EuropaCorp / 20th Century Fox.

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Examining common failings in the investigation and prosecution of human trafficking cases

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Believing the myths

- Victims are using Section 45 to avoid prosecution and deportation
- That the NRM is working and not influenced by political agendas
- By arresting the low hanging fruit (victims) we are winning the war on drugs
- That there is a joined-up approach to identify and protect victims
- That the UK leads on professional competence in the fight against human trafficking

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Failure to understand human trafficking

County Lines & Urban Street Gangs

Methodology

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Trafficking is a business

Manager / "faces"
Fewest, most profit

Elders
Small number, run operations

Youngers
More numerous, mid-level link

Runners / "soldiers"
Most numerous, most exposed to risk

©Smithsonian

Targeting the vulnerable
It's not accidental!

Recent research between CTN and a London University, of children involved in CCE, revealed:

- 85% had exhibited behavioral issues whilst in full time mainstream education
- 75% excluded from mainstream education
- 100% experienced more than one ACE
- 70% experienced domestic abuse in the family home
- 60% had an absent parent
- 55% had a parent with a drug or alcohol addiction
- 70% stated that poverty was a direct factor that led to their recruitment into CL
- 35% disclosed they had one or more neurodiversity

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Vietnamese and Albanian Intensive Cannabis Grows

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Recruiters & money lenders
Vietnam-based network, incl. xã hội đen / organised crime

Debt-bonded workers moved through transit countries

Worldwide transporters
Move victims along international trafficking routes

Cross-Channel smugglers
Small, high-risk crews; final leg into the UK

Cross-Channel crossing (lorries / small boats)

UK controller / ringleader
Fewest, most profit

Managing ICGs and product
Sourcing properties, installing equipment, supplying growing materials

Gardeners (trafficked workers)
Most numerous, often children, most exposed

Harvested cannabis sold onward

Distribution network
Moves the product into UK drug markets

Definition of Human Trafficking

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UN Convention against Transnational Organized Crime:

Often referred to as the **'Palermo Protocol' 2000**

"The recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation".

190 countries have signed the Palermo Protocol

Diagram of the Act, Means and Purpose

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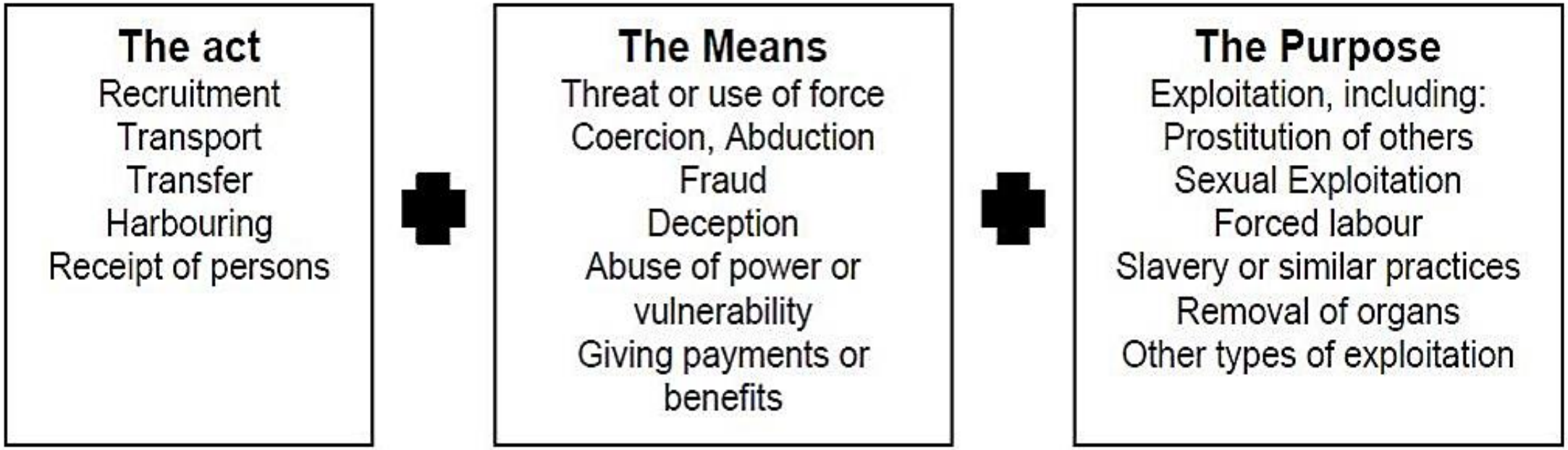

= TRAFFICKING

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The **Means** in real life.

- Fraud or Deception (Lies & False Promises)
- Other forms of coercion (Debt Bondage)
- The abuse of power or the abuse of a position of vulnerability
- The giving or receiving of payments or benefits
- Threat or use of force
- Abduction

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WHAT WE NEED TO PROVE THE CASE FOR CHILDREN

A child cannot consent to their exploitation
so the means element does not apply.

The act
Recruitment
Transport
Transfer
Harbouring
Receipt of persons

The Purpose
Exploitation, including:
Prostitution of others
Sexual Exploitation
Forced labour
Slavery or similar practices
Removal of organs
Other types of exploitation

Movement Internal Trafficking

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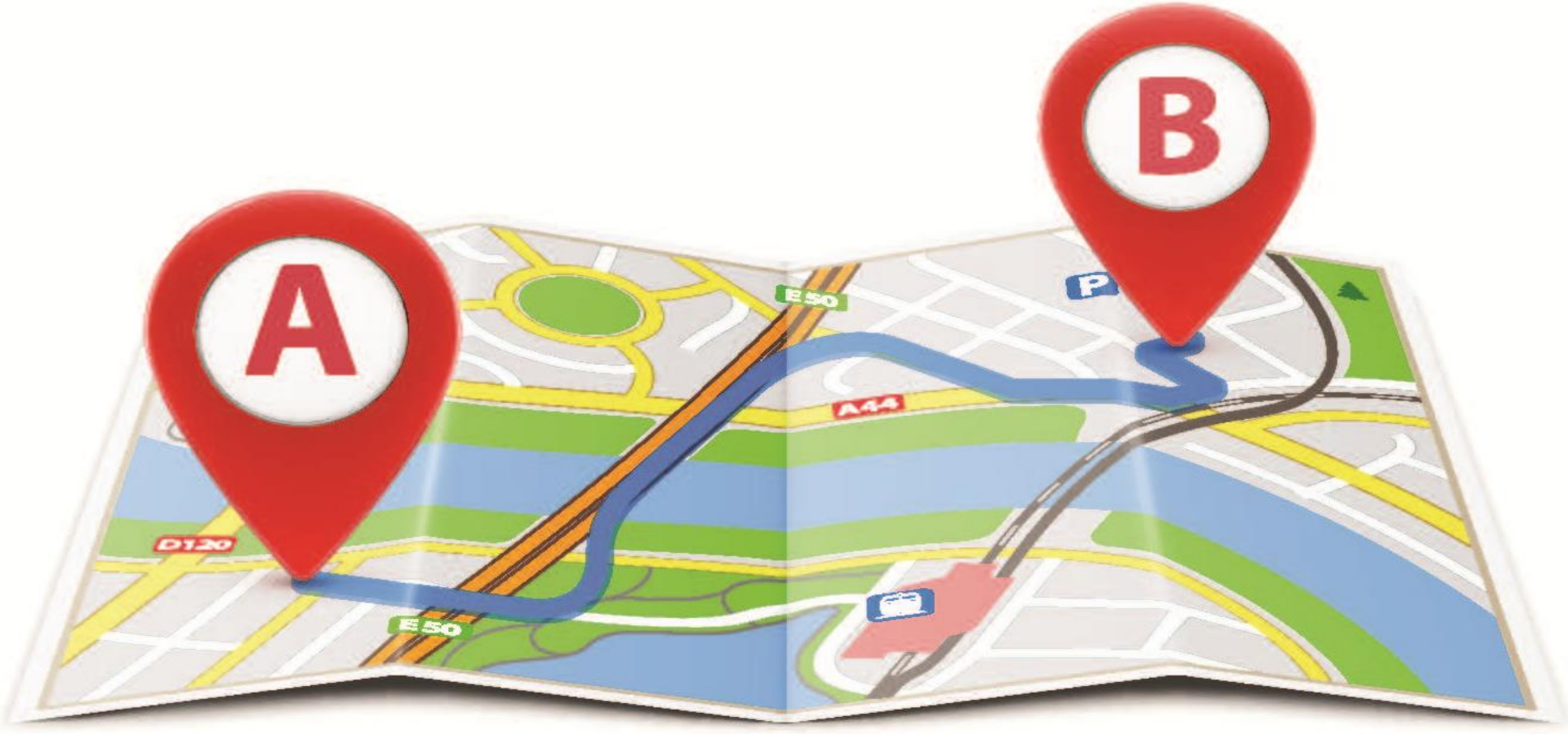

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- Section 1 Slavery & Servitude
- Section 2 Human Trafficking
- Section 3 Definitions of Exploitation
- Section 45 defence

Modern Slavery Act 2015

- Section 45…. a reasonable person

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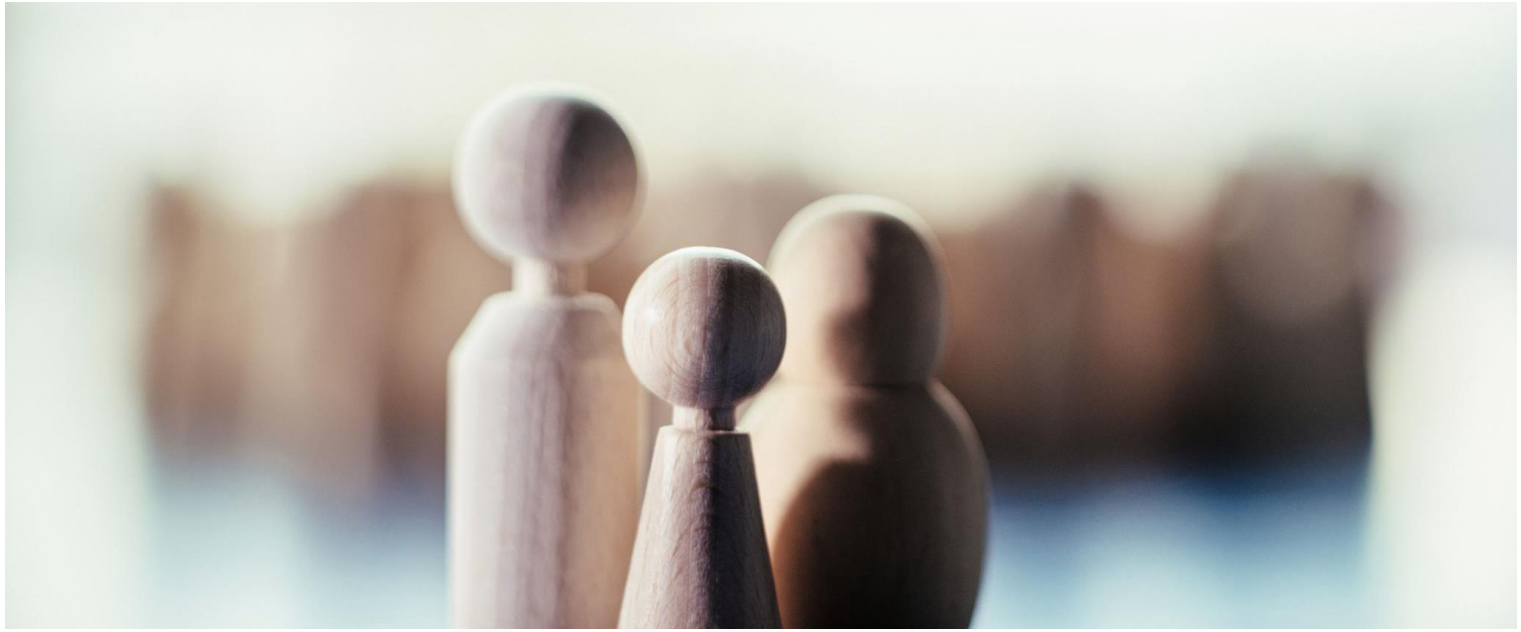
Understanding the barriers victims face within the criminal justice system and how systemic issues can impede access to justice



Victims not being believed

Police not following the P.E.A.C.E. Model

The right questions not being asked

Failure of the police to follow their own guidelines

Failure of the CPS to follow their own guidelines

Lack of knowledge by defence solicitors and barristers

Lack of coordinated support for victims

Disclosure can make their life harder

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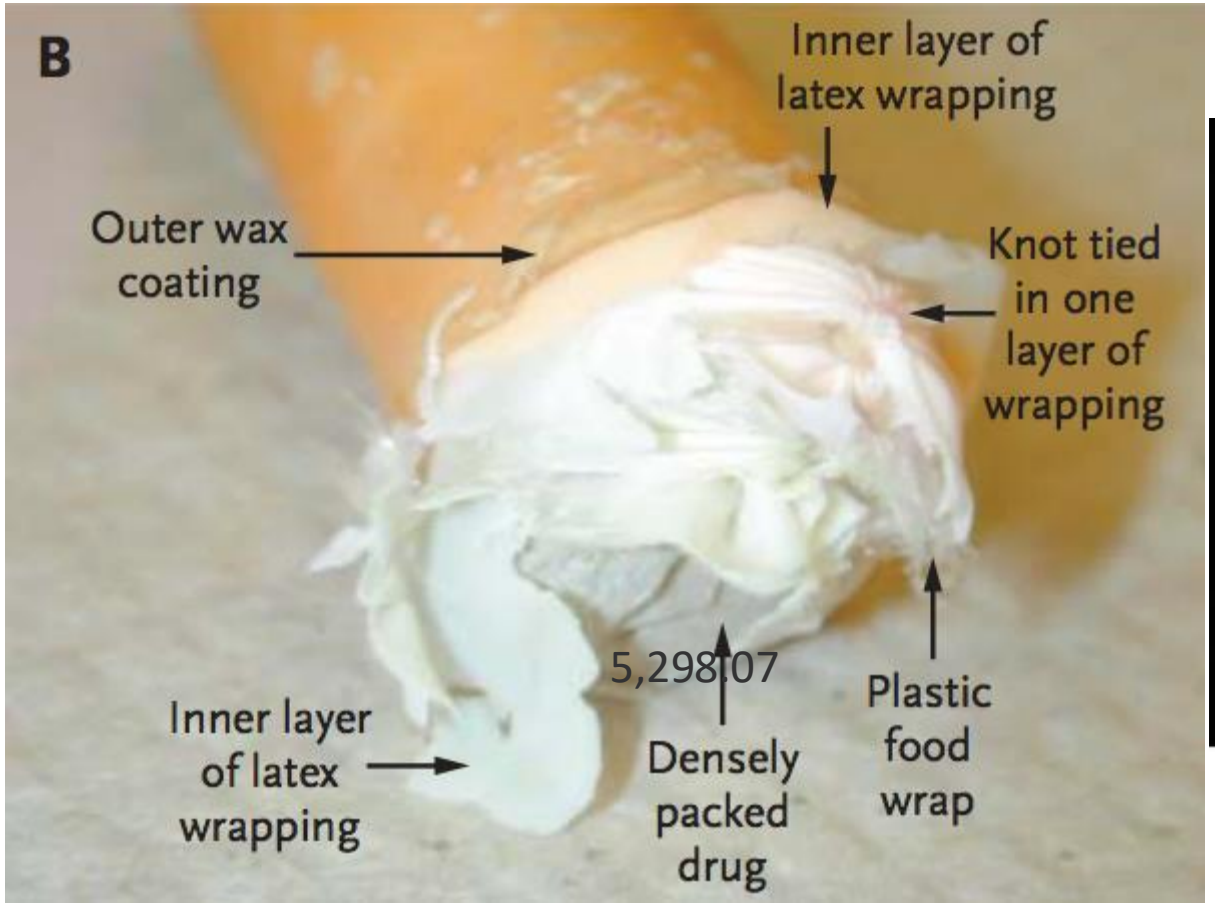
The question no one asks
Banking

LLOYDS

HALIFAX

NatWest



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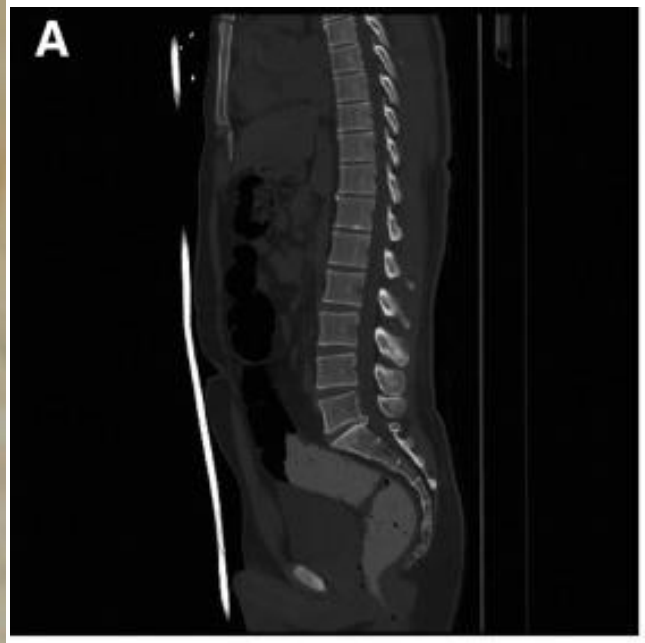

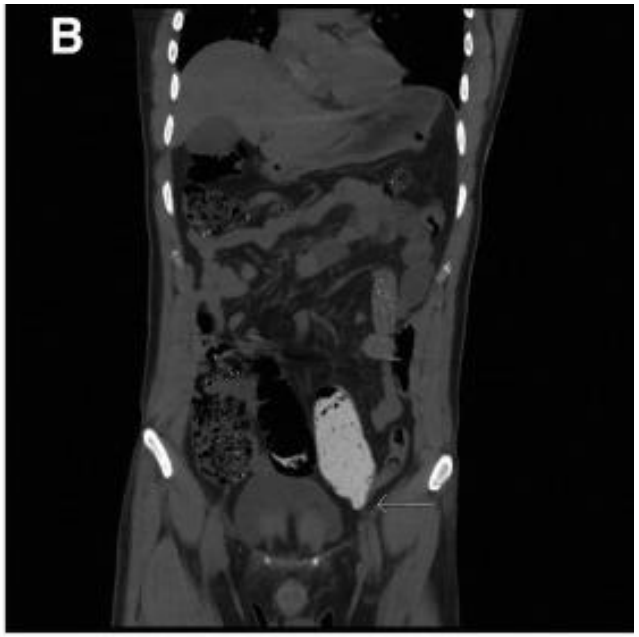

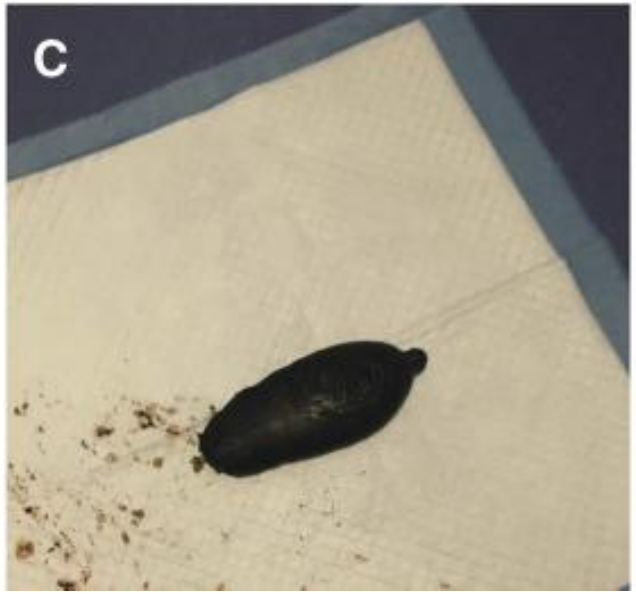

G-Packs = £1k

The ‘Reasonable Person Test’
It’s not me or you!

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A person is not guilty of an offence if they were compelled to commit it due to being a victim of slavery or exploitation, and **a reasonable person in the same situation as the person and having the person’s relevant characteristics would do that act**.

Key Aspects of the "Reasonable Person" Test

- **Relevant Characteristics:** The "reasonable person" is not an abstract, average person, but someone sharing the same **age**, **sex**, and any **physical or mental illness or disability** as the victim.

- **Same Situation:** The test considers the specific situation the victim was in, including the nature of the coercion, threats, and control they were under.

Compare like with like.

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Practical recommendations for police, prosecutors, and local authorities to improve identification, safeguarding, and case outcomes (You forgot Government)

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Solicitors
Police Station Representation

Think Trafficking

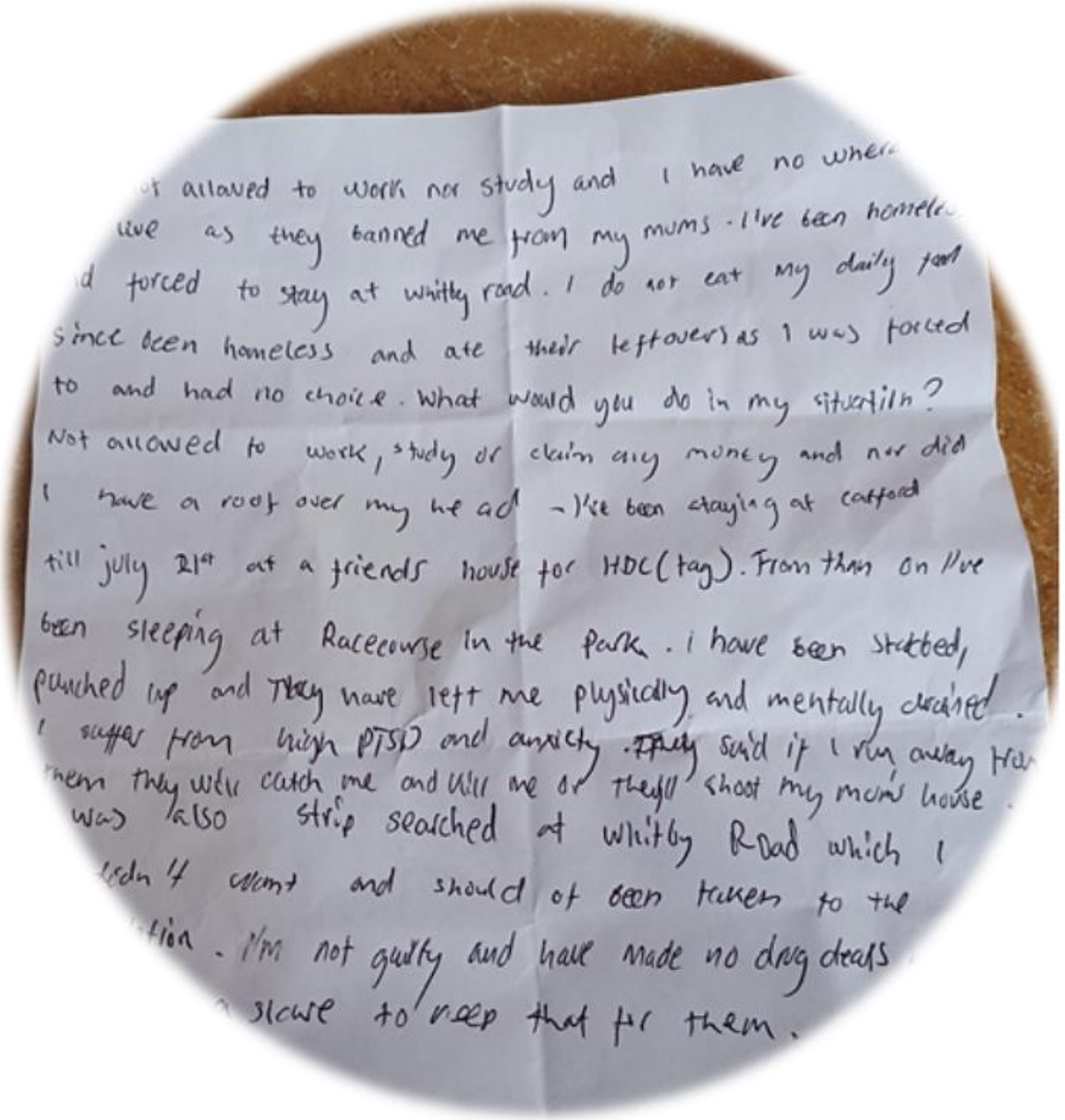
Get the account

Advise as to options

No comment interviews?

Advise to answer questions?

Prepared statements?



not allowed to work nor study and I have no where
live as they banned me from my mums - I've been homeless
d forced to stay at whitby road. I do not eat my daily food
since been homeless and ate their leftovers as I was forced
to and had no choice. What would you do in my situation?
Not allowed to work, study or claim any money and nor did
I have a roof over my head - I've been staying at catford
till july 21st at a friends house for HDC(tag). From then on I've
been sleeping at Racecourse in the park. I have been stabbed,
punched up and They have left me physically and mentally drained.
I suffer from high PTSD and anxiety. They said if I run away from
them they will catch me and kill me or they'll shoot my mums house.
was also strip searched at Whitby Road which I
didn't consent and should of been taken to the
station. I'm not guilty and have made no drug deals
slave to keep that for them.

Example of prepared statement

What benefits does it give the potential victim?

Obligations of the Police

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Is Human Trafficking serious?

Serious crime is defined in section 93(4) of the Police Act 1997 as:

Conduct which:

(a) involves the use of violence, results in substantial financial gain or is conducted by a large number of persons in pursuit of a common purpose or

(b) **the offence or one of the offences is an offence for which a person who has attained the age of twenty-one and has no previous convictions could reasonably be expected to be sentenced to imprisonment for a term of three years or more.**

The Home Office also defines 'serious crime' as:

- arson with intent to endanger life
- attempted murder
- domestic abuse
- kidnapping or false imprisonment
- a hate crime
- **human trafficking**
- a sexual offence
- terrorism
- wounding or GBH with intent

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Should police record an allegation of human trafficking?

April 2019

Home Office Counting Rules **direct** that:

"All reported incidents of modern slavery are to be recorded on the force crime system"

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Duty to Investigate

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Duty to Investigate

‘You should begin an investigation as soon as you believe a modern slavery crime may have been committed, regardless of whether a potential victim makes an allegation, whether a report is made, or whether consent to be entered into the national referral mechanism (NRM) is provided or refused’.

Responding to perpetrators who may also be victims

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If police become aware a suspect may be a victim of trafficking:

- The investigation into original offence continues
- ‘Suspect’ undergoes PACE interview
- Human Trafficking investigation commenced
- ‘Suspect’ undergoes non-pace victim interview (ABE)
- ‘Suspect’ referred into NRM

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Victim Interviews

"When a suitably trained first responder becomes aware of a potential victim, they should make arrangements for specialist interviewers at an early stage.

Trained officers should interview potential victims, whether adult or child, in accordance with Ministry of Justice (2011) Achieving Best Evidence in Criminal Proceedings"

CPS Obligations

"A prosecutor must be alert to Indicators of trafficking. A prosecutor may consider that someone is a potential victim of modern slavery based on their own assessment of the case, **or following defence representations,**

The obligation exists whether or not the suspect makes a disclosure to this effect or provides any information or evidence of it.

The police should always be asked to make a referral to the NRM."

Crown Prosecution Service, Modern Slavery and human trafficking: offences and defences, including the section 45 defence'. Available at: https://www.cps.gov.uk/legal-guidance/modern-slavery-and-human-trafficking-offences-and-defences-including-section-45

CPS Obligations

The police **must** be advised to investigate the claim, in addition to any NRM referral, if it has not been already.

The prosecutor **must** satisfy themselves that this investigation is sufficiently thorough.

Source: Guidance to Prosecutors - CPS

CPS Obligations

"The Full Code Test should be applied:

a. when all outstanding reasonable lines of inquiry have been pursued; or

b. prior to the investigation being completed, if the prosecutor is satisfied that any further evidence or material is unlikely to affect the application of the Full Code Test, whether in favour of or against a prosecution".

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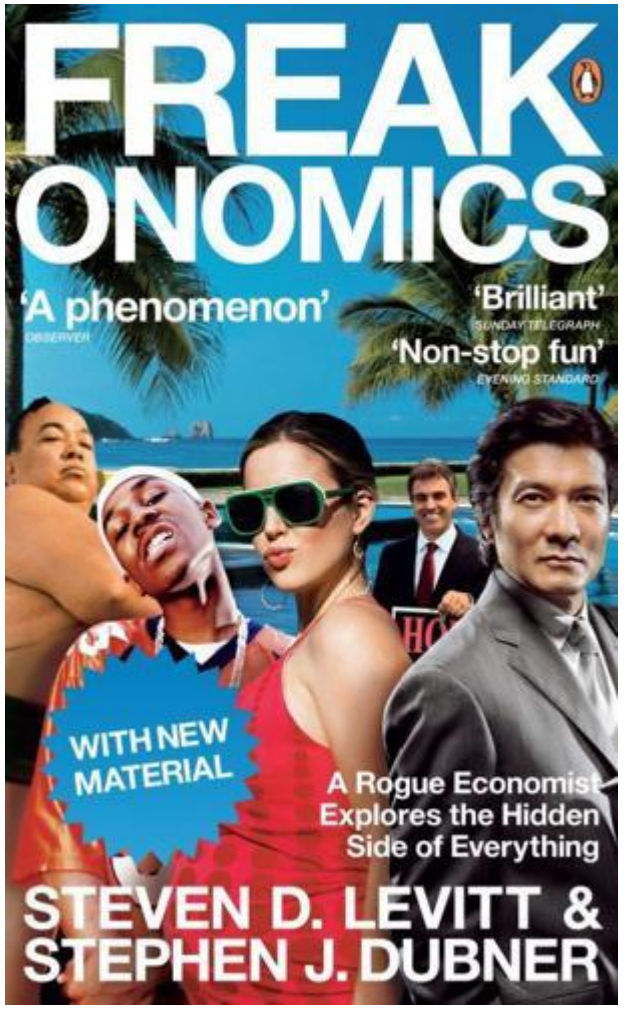
Recommendations

- Improved training for front line police officers and detectives
- Look at the case as a whole for victim indicators

'Why do drug dealers still live with their Moms?'

Freakonomics, Chapter 3

- Improved training for solicitors and barristers
- Better funding for children's services to support victims of trafficking
- Better funding and understanding for young people transitioning from children to adults



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Encouraging stronger professional practice and multi-agency collaboration to ensure victims are treated effectively and fairly

Understand Control Mechanisms

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- Misplaced loyalty
- I'm not a victim
- Promises, promises & more promises
- Debt bondage
- **Conversations in the margins**
- Threats of violence
- Threats to family
- Actual violence

The National Referral Mechanism (NRM)

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- The National Referral Mechanism (NRM) is the UK's framework for identifying potential victims of modern slavery and ensuring they receive appropriate support.
- In 2025 the NRM received 23,411 referrals and an additional 7,130 potential victims were identified via the Duty to Notify process.
- Every NRM referral automatically sends an email to the police to instigate an investigation
- So why in 2025, did UK police recorded **ONLY 2,170** modern slavery crimes and incidents

SCA for UK nationals and IECA for foreign nationals?

(Conflict of interest DUH!)

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Barristers

Why do I always hear ‘DURESS’?

WHEN IT DOESN’T MATTER IN HUMAN TRAFFICKING

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Duress

Duress is available for most crimes but rarely occurs in human trafficking.

However!

It must be immediate and deadly.

Duress by threats: Another person forces you to break the law by threatening immediate death or severe harm to you or your family.

Duress of circumstances: Dangerous external situations (not a direct command from a person) force you to commit a minor crime to avoid a greater harm or death.

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We have - Section 45 (2) Compulsion

"A person may be compelled to do something by another person or by the person's circumstances".

The CPS Guidance helps us and says:

'Compulsion' includes **all the means of trafficking defined by the Palermo Protocol**.

It does not require physical force or constraint.

ECHR Article 4: Right not to be held in slavery, servitude or forced labour

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Article 4 ECHR places **a 'positive obligation'** on authorities to identify and protect victims of human trafficking.

The concept of **'positive obligation'** under Article 4, has given rise to numerous cases both domestically and in the ECtHR.

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ECHR Article 6 (Right to a fair trial)
V.C.L. and A.N. v. The United Kingdom

16 February 2021, ECtHR ruled in the case against the UK

The Court held, unanimously, that there had been:

- a violation of Article 4 (prohibition of forced labour)
- a violation of Article 6 § 1 (right to a fair trial)

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Prosecution Drug Experts beware

In all of our drug cases only one expert even mentioned trafficking but even then did not state it was a factor in the case.

In every cannabis cultivation, being concerned in the supply, PWITS and county lines case human trafficking and criminal exploitation must be considered.

Police drug experts should know and should include this otherwise they are not following their oath of objectivity and independence and could be challenged.

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Future Challenges

Crime and Policing Act 2026

1. **child criminal exploitation,**
2. **cuckooing (home takeover) and**
3. **coerced internal concealment**

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