**All-Party Parliamentary Group on Human Trafficking and Modern Slavery**

**22nd February 2017**

**Minutes**

1. **Introduction by the Chair**

Fiona Mactaggart MP opened the meeting by welcoming all in attendance and introducing the speakers.

1. **Alison Saunders, Director of Public Prosecutions**

Alison Saunders began by providing statistics as to the number of prosecutions and convictions for human trafficking and modern slavery offences: in 2016 the CPS prosecuted 349 defendants for human trafficking and slavery offences; 216 were convicted. This is up from 2015 when 226 were prosecuted, 149 were convicted and 2014 when 189 were prosecuted, 130 were convicted.

She provided a number of case examples to highlight the work of the Crown Prosecution Service in disrupting trafficking networks. She spoke about the first successful prosecution for human trafficking of a company director for exploitation in their supply chains. This of course has ramifications for the business community and the need to examine their supply chains. She also gave examples of confiscating the proceeds of crime, such as the conviction of 5 family members together with the confiscation of £2million.

Regarding the Modern Slavery Act, to date 80 offences have been charged under the Act. However she explained that it is still too early to judge the Act’s success as regards prosecutions and convictions. She explained that the new offences have brought greater clarity for prosecutors, for example as regards victim ‘consent’, and taking into account the personal circumstances of the victim.

Alison also spoke about the use of the Act’s Slavery and Trafficking Prevention and Risk Orders. More than 20 Prevention Orders have been obtained on conviction, allowing restrictions to be applied overseas. For example, 4 Slovakian traffickers were convicted, imprisoned and prevention orders imposed with international jurisdiction: the enforcement of these orders is being monitored by Slovakian authorities. Risk Orders have been used to protect victims where there are ongoing investigations, or where there is a suspicion of trafficking but not enough evidence to prosecute. Such orders enable police and prosecutors to build a stronger evidence base.

Alison then addressed a number of challenges prosecutors face in securing convictions for trafficking offences, in particular regarding supporting vulnerable witnesses. This has been addressed by tape recording interviews with victims to use as evidence. They have also used intermediaries to make the process easier for victims, and used video links to allow victims to give evidence remotely.

She then discussed the importance of cooperation with international partners through the UK’s membership of Europol, Eurojust and the European Arrest Warrant, which may be impacted by the UK leaving the EU. She provided an example of such collaboration, involving a Joint Investigation with Romanian authorities in which arrests were made jointly in Romania and the UK, and traffickers returned to the UK for prosecution using the European Arrest Warrant.

The CPS is continuing to examine guidance and training to make sure prosecutors understand the issues, and are responsive to changes in how trafficking is committed.

Fiona Mactaggart asked about victims being prosecuted for crimes which they have been forced to commit. Alison Saunders said that this is often challenging, particularly when victims do not consider themselves to be victims. She expressed her hope that understanding has improved and that Vietnamese children growing cannabis, for example, will not be prosecuted. She said it is a difficult balance between protection of the victim and public interest in prosecuting.

Kate Roberts (Human Trafficking Foundation) asked about the confiscation of the proceeds of crime and the awarding of compensation orders. Alison Saunders said that prosecutors needed to be reminded of to ask for compensation orders. If granted, money goes directly to victims.

Sarah Champion MP asked about women in forced marriages and the challenges in prosecuting for forced marriage or modern slavery. Alison Saunders explained that it is very much dependent on the individual case, and how it is first reported by the police and the evidence gathered.

Maggie Throup MP asked what workers can do to help identify whether their colleagues might be victims of exploitation. Alison Saunders said that workers should consider where their fellow workers are going back to after work – are they living in poor conditions, are they withdrawn? – and report suspicions. Phillipa Roberts (Hope For Justice) said they are working to train workforces and managers and are seeing victims identified as a result.

Baroness Howe asked about any difficulties in European cooperation. Alison Saunders said that cooperation through Eurojust works very well.

Baroness Butler-Sloss asked about the lack of long-term support for victims and the impact that has on prosecutions. Alison Saunders said that the lack of support has an impact on prosecutions, as people disappear leaving a lack of witness evidence – support for the individual is key to help them through the process. Pam Bowen (CPS) said that there is a far higher drop-out rate for victims of other crimes (eg rape) than human trafficking.

Phillipa Roberts asked how NGOs can assist the CPS in making the system better. Alison Saunders said that the CPS are keen to engage with NGOs and encouraged NGOs to speak to them about these issues.

Wendy Adams (Stop The Traffik) asked if trafficking victims who have been convicted for offences they have been forced to commit can have their records wiped clean. Alison Saunders said that the only way of doing so is by an appeal.

Fiona Mactaggart encouraged people to contact the APPG with recommendations for any amendments to the Modern Slavery Act, in keeping with Theresa May’s statement that there is the prospect of further legislation.

Baroness Butler-Sloss suggested that an amendment to a future Criminal Justice Bill to assist victims who have been prosecuted for crimes they have been forced to commit.

Laurelle Brown (The Children’s Society) explained that they have come across young people prosecuted for drug trafficking, who are victims of exploitation (‘county lines’ cases). Alison Saunders said she is happy to work with the Children Society so that the CPS is aware if these children are being prosecuted. Pam Bowen said that the CPS now has guidance relating to this type of exploitation and are trying to raise awareness with the NCA.

Andrea Simon (ECPAT UK) asked if prosecutors are aware of the defence for crimes a person has been forced to commit. Alison Saunders said that guidance is available on this, and they would welcome feedback if it needs to be updated or improved. Training is also being developed.

Alison Saunders suggested a roundtable meeting with groups working with victims to help the CPS learn more about the issues which support providers are seeing.

1. **Peter Carter QC, Doughty Street Chambers**

Peter Carter began by stating that he believes the Modern Slavery Act is working well. There has been a great deal of progress since 2008, where there was widespread ignorance of the topic, and guidance for prosecutors was not widely circulated. In contracts, current guidance is extremely clear and helpful.

Concerns remain, however, regarding the number of victims who go missing, with many unfortunately returning to their traffickers. There is a tension: how do you allow individual liberty and prevent them returning to their exploiter? He said he would like to see a mechanism which, respecting individual rights, would allow a better track to be kept of victims to find out what happens to them when they leave shelters.

He discussed extradition and Article 4 ECHR and suggested that he is uncomfortable that courts often do not consider Article 4 issues in cases of extradition. He stated his belief that the UK could do more to make sure that individuals won’t be extradited if there is a risk that Article 4 might be violated.

He suggested that in some cases the CPS might be choosing to find alternative charges to modern slavery in order to avoid victims having to give evidence.

Alison Saunders said that there was no policy to do so. Prosecutors may at time prosecute other offences, but this is generally because of a lack of awareness

Alexandria Walsh (British Red Cross) asked about individuals trafficked in their home country and now in the UK claiming asylum. Alison Saunders explained that if no offence was committed in the UK, the UK can only offer protection to reduce that person’s vulnerability. There is little the CPS can do in this situation. Peter Carter agreed that the asylum process was the most suitable route in this case. There might also be the possibility of a Trafficking Risk Order, which can have extra-territorial effect.

Steven Barclay MP asked for information on areas of good practice. It would be useful to see disparities by region. Alison Saunders said that statistics are broken down by police force area. Peter Carter suggested the US State Department for international comparisons and examples of good practice.

Laurelle Brown suggested that although police use various orders to disrupt offending, they don’t often use the orders contained within the Modern Slavery Act. Baroness Butler-Sloss said this would be a matter for the police and suggested contacting Chief Constable Shaun Sawyer.

Andrea Simon spoke about ECPAT UK’s recent report with Missing People regarding children going missing, Heading Back to Harm.

**Meeting closes 6.30pm**