Ending Impunity

Delivering justice through prosecuting trafficking in human beings

Victim-centred approaches to investigations and prosecutions
Challenges faced in prosecuting human trafficking

- Identification of victims and securing their cooperation
- Victims may withdraw from criminal proceedings
- Traumatised victims: often don’t make the best witnesses
- Evidencing where multiple defendants and victims
- Victims of criminal exploitation unlikely to assist
- Move to on-line / digital devices
Findings from ‘deep dive’ review

- Investigations rely on the evidence of harm to victims rather than defendants’ motives.
- Significant and sustained victim support needed.
- Victims return to their traffickers.
- Best approach is to ‘frontload’ investigations, build intelligence and evidence before arrests.
- Don’t rely solely on victim reporting / identification / testimony.
- Investigation and prosecution can take up to 3 years + - victims often disengage.
Recommended Strategies

● Case referral to experienced prosecutors for early investigative advice
● Police and prosecutors work closely in building robust cases without relying on victim.
● Identification of a crime through intelligence.
● Greater reliance on technology to investigate / prosecute. Next step - use of AI?
● Use of expert evidence.
- Bring victimless prosecutions using covert surveillance techniques to collect evidence
- Developing intelligence and sharing it across UK police forces and overseas
- Financial investigation vital – proves motive and the exploitation of victims for gain.
- Work with Adult Services Websites to obtain intelligence and evidence.
- Need to consider impactful presentation at Court from the outset of investigation
Benefits:

● Able to bring prosecution where no victims identified.
● Where victims have been identified, it removes the need to rely on their testimony.
● Where victims willing to give evidence, it reduces the burden on them to prove the case.
● Enables prosecution where victims fearful and traffickers would not otherwise be criminalised for any offences.
● Allows victims to move on with their lives without trauma of giving evidence.
● Reliance on motive of trafficker and financial investigation leads to greater opportunities to identify and confiscate assets.
Drawbacks:

● Compensation: if victims have moved on or where no victims identified, Court unable to make reparation.

● Sentencing: can result in more lenient sentences. Often other offences are disclosed in the victim’s testimony.

● Victim vulnerabilities and the impact of physical and psychological trauma not disclosed

● This does not reduce the length of time from investigation to finalisation: material from digital devices often significant.

● Unless significant independent evidence obtained, it may not be possible for a prosecution to continue if the witness subsequently withdraws.
Cases where it is most effective

- Cases of trafficking for sexual exploitation where victims exploited on Adult Services Websites

- Cases of trafficking for criminal exploitation where children are trafficked using a ‘drugs line’ on digital devices.
Thank you and Any Questions?

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