

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
- Traumatized 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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