



Disclosure ref: 31 Sent: 7th June 2019

Freedom of Information Act 2000 Request

Cases dealt with that involve section 45 under the Modern Slavery Act

Request

- 1. Since it came into force on the 31st of July 2015, how many cases have been referred to the CPS in which a potential section 45 defence under the Modern Slavery Act was identified or mentioned by any party involved? What are the total figures for 2015, 2016, 2017, 2018 and the current year? Of these, how many concerned an individual under the age of 18, and how many concerned an adult?*
- 2. Since the Modern Slavery Act came into force on the 31st of July 2015, how many cases referred to the CPS concerning a potential victim of human trafficking coerced into committing a crime have not been brought before a court (or charges pressed)? What are the total figures for 2015, 2016, 2017, 2018 and the current year? Of these, how many concerned an individual under the age of 18, and how many concerned an adult?*
- 3. Since the Modern Slavery Act came into force on the 31st of July 2015, how many cases referred to the CPS concerning a potential victim of human trafficking coerced into committing a crime have been brought before a court (or charges pressed)? What are the total figures for 2015, 2016, 2017, 2018 and the current year? Of these, how many concerned an individual under the age of 18, and how many concerned an adult?*
- 4. Do you have any statistics regarding how many cases referred to the CPS before the effective date of the Modern Slavery Act concerned a potential victim of human trafficking coerced into committing a crime? Of these, how many were brought before a court (or charges pressed), and how many were not? Do you have a breakdown by year? Do you have a breakdown by age, in the manner discussed in my other requests?*
- 5. Since the Modern Slavery Act came into force, in how many instances relating to potential victims of human trafficking forced to commit crimes have prosecutors exercised their discretion not to prosecute a case that is not in the public interest? Do you have a yearly breakdown? Do you have a breakdown for under- and over-18s?*



Response

The Crown Prosecution Service (CPS) does not maintain any records of offences or cases where a potential section 45 defence was identified or raised. Therefore we are also unable to provide data for those under 18 and adults.

The CPS does not maintain any records of cases concerning a potential victim of human trafficking who was coerced into committing a criminal offence which were not prosecuted.

The CPS does not maintain any records of charges or prosecution for offences or cases concerning a potential victim of human trafficking who was coerced into committing a criminal offence.

Prior to the introduction of the Modern Slavery Act, prosecutors were able to exercise their public interest discretion not to prosecute a victim of trafficking who was forced to commit a criminal offence. However, the CPS does not maintain any records of cases where this has been applied.

The CPS does not maintain any records of cases where prosecutors have exercised their discretion under public interest to not prosecute a potential victim of human trafficking who was coerced into committing a criminal offence.

Under section 16 of the FOI Act we have an obligation to advise what, if any, information may assist you with your request; you may find it helpful to refer to our annual Violence against Women and Girls' Report (VAWG) and our Modern Slavery Report where some information about the age of defendants is available. Please see links below:

VAWG: <https://www.cps.gov.uk/violence-against-women-and-girls-data>

Modern Slavery Report: <https://www.cps.gov.uk/legal-guidance/human-trafficking-smuggling-and-slavery>

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