

Modern slavery investigation

This page is from APP, the official source of professional practice for policing.

First published 28 July 2015 Updated 24 February 2022

Written by College of Policing

25 mins read

Every report of modern slavery must be investigated from the point of disclosure or suspicion, and should be conducted in accordance with standard [investigative practice](#).

Officers should ensure that the following orders are considered to disrupt and prevent any further offences, and to provide protection for potential victims:

- [slavery and trafficking prevention orders](#)
- [slavery and trafficking risk orders](#)

Many offences of modern slavery commence in another country, often in the home country of the victim. For investigations with an international dimension, see [cross-border investigations](#).

For further information see:

- [APP Financial investigation](#)
- [APP Investigation](#)
- [Victim and witness interview strategies for modern slavery and human trafficking \(available to authorised users who are logged on to Knowledge Hub\)](#)
- [Home Office \(2015\) Guidance on Slavery and Trafficking Prevention Orders and Slavery and Trafficking Risk Orders under Part 2 of the Modern Slavery Act 2015](#)

Considerations

It is important to:

- investigate how a person became a potential victim, even if a crime has not yet been alleged
- balance the duty of safeguarding victims with the need to obtain evidence and be clear on when to intervene

- be aware of and arrange [medical care](#) for the potential victim
- complete logs as fully as possible detailing all contact – electronically, in person and verbally
- look for evidence to corroborate any potential crime
- ensure that the regional organised crime unit (ROCU) or other non-force unit that deals with major crime is notified of any ongoing investigation or [intelligence](#)
- conduct an initial investigation to corroborate the victim account(s)
- contact other police forces and research databases for potential intelligence. See the [Police National Modern Slavery Data Tool](#) on the Knowledge Hub Modern Slavery community for further guidance (available to authorised users who are logged on to the [Knowledge Hub](#))
- be aware that offenders can also be victims
- inform local authority children's services immediately if a potential child victim or unaccompanied child is encountered
- conduct a [financial investigation](#) in parallel and employ a specialist financial interviewer, as the direction of money flow may lead to the offender(s) or provide evidence for an offender who has already been identified. Delayed financial investigation decreases the opportunity to identify and restrain/[recover assets](#), as proceeds from modern slavery offences are moved overseas very quickly
- prepare a criminal case as if there is no victim acting as a witness, before approaching victims for accounts. Approaching victims too early could expose them to potential harm, and could increase victim flight risk
- victims may be experiencing mental ill health, for example, [Stockholm syndrome](#), trauma or post-traumatic stress disorder, and it may take months to obtain evidence from them. They may feel empathy and attachment with their [exploiters](#), and be unwilling to provide evidence against them. There is also the risk that unless they are sufficiently protected, victims may return to their exploiters.
- consider that every victim is [vulnerable](#) and may be so traumatised by their experiences that they are unable to give evidence in court
- keep victims informed of developments in the investigation
- consider a formal review for a secondary investigation and allocation to the most appropriate department, for example, serious and organised crime unit (SOCU) or major crime team (MCT), if there are large numbers of victims involved or the allegations are complex
- be aware that any action taken may have consequences for victims and their families residing in their home countries

- consider whether a person could realistically help the police and participate in any future legal proceedings from a different country, and whether they will require temporary leave to return to the UK. There may be some people who have expressed a willingness to assist the police with their enquiries but who still wish to return home. In these situations, ensure that there is ongoing contact with the victim/witness when they have returned home.
- be aware that the role of victim, witness and suspect is interchangeable ? one person could fulfil all three roles
- consider consulting a tier 5 interview advisor if there are multiple suspects

For tactical advice, contact the MSHTU on +44(0)84 4778 2406.

Lines of enquiry

When a modern slavery offence is reported, there are specific lines of enquiry that should be pursued as a positive obligation.

These include, but are not limited to:

- advertising and recruitment ? how are victims targeted and recruited? What are the conditions of employment?
- premises ? which premises are used? How many? Who are the owners?
- transport ? what transport networks and types of transport are used?
- communications ? how does the crime group communicate?
- financial transactions ? what is the flow of money? What has been purchased?
- locations ? what are the source, transit and destination locations?
- potential victims – can other people at risk be identified?

Planned operations

When planning an operation, for example, at a brothel, cannabis farm, campsite, factory or any other premises, the following should be considered:

- Seek early consultation with the CPS (Public Prosecution Service (PPS) in Northern Ireland and Crown Office and Procurator Fiscal Service (COPFS) in Scotland). Officers should consult a CPS/PPS/COPFS lawyer or procurator fiscal as early as possible for investigative and/or pre-charge advice, even if there is only sufficient evidence to meet the Threshold Test. This is to

minimise risk of further harm and/or suspects absconding.

- Use the [slavery and trafficking risk orders or slavery and trafficking prevention orders](#) appropriately.
- Obtain appropriate authorisation where it is necessary to use surveillance and undercover officers for evidence gathering, as required under the [Regulation of Investigatory Powers Act 2000 \(RIPA\)](#). Consider the points to prove.
- Arrest the offenders for any suspected criminal offending before approaching victims for witness statements, as victims will feel safer and are more likely to cooperate if their perpetrators are in custody.
- Inform the local authority at an early stage if it is likely that children will be found who will require immediate protection from children's services.
- Ensure all [interpreters](#) are independent, accredited and approved. Be aware that local or convenient interpreters may be linked to potential perpetrators who are of similar ethnic/cultural/national origins.
- Assess if there are other linked buildings that may contain victims or evidence connected to modern slavery offences. Use body-worn video for recording evidence and scene preservation. Body-worn video is not recommended for recording ABE interviews.
- Agree investigative primacy in situations where the location of the offence is not where it was reported.
- Consider a single point of contact (SPOC) for victim communication.
- Establish multi-agency reception centres or make other arrangements for victim care. Contact the MSHTU for advice.

Executing a warrant

The following should form part of any plan to execute a warrant on relevant premises:

- victim evacuation
- reception centre
- seeking and seizing all [financial evidence](#)
- forensic recovery, including evidence of victims' living conditions (digital stitching is recommended), travel, employment, medical documentation and clothing relating to victim injuries
- a police search advisor (POLSA) plan

- conducting a threat assessment and dynamic risk assessment which prioritises the welfare and safety of the victim(s) and any other person identified as potentially at risk
- use of the **Police and Criminal Evidence Act 1984 section 8** (evidential material warrant)
- a communications strategy
- a **community impact assessment**

If a modern slavery offence is reported by a third person (not a victim(s), witness or perpetrator), risk assess and formulate a strategy to rescue the victim that does not endanger the potential victim or anyone else identified as being at risk. This should be balanced with the duty to safeguard, especially if the victim is a child.

Support functions

These include:

- an evidence-gathering team
- mobile ID units to assist with identification
- covert officers, depending on the risk assessment outcome
- **local charities and non-governmental organisations (NGOs)** to support victims during and after the operation
- a reception centre manager to ensure interpreters and charities/NGOs are building relationships with the victims and not working in isolation
- Home Office Immigration Compliance and Enforcement (HO ICE) officers
- Border Force officers
- welfare visitors/local authority children's services
- a single point of contact (SPOC) officer

The SPOC officer needs to build a rapport with, and provide consistency for, victims. They should keep a log of all contact, attempted contact, contact details and forwarding details, which will assist any hearsay application should victims disengage or return to their home countries.

Achieving Best Evidence in Criminal Proceedings (ABE) trained interviewer

All potential victims are **vulnerable** and should, therefore, be interviewed in compliance with **Ministry of Justice (2022) Achieving Best Evidence in Criminal Proceedings: Guidance on interviewing victims and witnesses, and guidance on using special measures.**

In modern slavery investigations, the following should also be considered:

- whether to interview victims immediately – victims may **fear disclosure**, they are likely to have been deceived and will need time to recover their physical and mental health, build trust with the police, and free themselves from the psychological control of the perpetrator
- the mode of interview, for example, video recording, written transcript
- ensure the pace of the interview is sensitive to the victim's physical and mental health
- handle **child victims** with care to avoid them becoming alarmed or concerned
- explain roles and processes
- use a neutral space
- be aware of the victim's cultural/ethnic/religious background, the needs this may generate, and the impact this may have on the interview, for example, they may be unwilling to cooperate because they believe that they are under the influence of spiritual practices, such as black magic, witchcraft and **juju**
- ensure that the interpreter is not affected by a belief in the influence of spiritual practices (as outlined above)
- the gender of any interpreter and how comfortable a potential victim may feel disclosing to them. Use female interpreters for female victims
- a victim or witness accompanied by a child may feel unable and/or unwilling to disclose certain information in their presence – make arrangements for the interview to take place in private while maintaining the **safety of the child**
- do not treat potential victims as suspects of an immigration offence at this stage

A registered intermediary (for children and victims/witnesses/suspects with communication difficulties)

Discuss and make early arrangements for **special measures**. Victims and witnesses with communication difficulties may need an intermediary to give consent for their referral to the **national referral mechanism (NRM)** and to complete the **form**.

- A sexual offences investigation trained (SOIT) officer (in cases of sexual exploitation).
- A victim care coordinator.
- An approved interpreter.

Assistance and advice is available to support officers and staff requiring interpretation.

This includes:

- British Sign Language interpreters
- interpreters from UK Visas and Immigration (UKVI) if others are not suitable
- sourcing accredited interpreters from the area local to where the offence took place should be avoided
- different interpreters should be used for victims and suspects

Legislation

- **ancillary orders**, for example, slavery and trafficking risk orders, slavery and trafficking prevention orders, slavery and trafficking reparation orders, serious crime prevention orders, criminal behaviour orders, violent offender orders, sexual risk orders, sexual harm prevention orders
 - traffickers may use mobile phones to control victims – officers can use the **Regulation of Investigatory Powers Act 2000 (RIPA)** to access and monitor these. The use of telephone tracking devices, helplines and email addresses can be provided for victims where anonymity needs to be safeguarded
 - **sections 71 to 75** of the Serious Organised Crime and Police Act 2005 (SOCPA) allows incentives including immunity from **prosecution**, and review or reduction in sentence for those who assist authorities with their investigations
 - **closure orders** provide a power to close premises where it is suspected that **children are being sexually exploited** there
 - **European Arrest Warrants** to speed up the extradition process between EU member states.
- Trafficking is one of the 32 stipulated framework offences with no dual criminality requirement.

In all cases, local force policy and national guidelines should be followed in relation to the support functions outlined above.

Crime scene

Modern slavery investigations require specific actions at the crime scene in addition to the standard actions taken in any investigation. These are detailed in the checklist below. At this point in the process, criminal matters take precedence over immigration issues and officers should not treat potential victims as suspects of immigration offences. If there are potential victims at the crime scene who do not consent to reporting a crime, leave contact cards and leaflets. If, however, there is sufficient evidence that a crime has been committed, suspects should be arrested.

Vehicles used to transport people over long distances and/or across borders should also be considered as crime scenes.

If the operation is pre-planned, there should be a strategy on how to manage forensic evidence at the crime scene.

For 24-hour tactical advice regarding slavery, servitude, forced and compulsory labour in relation to food and agriculture, contact the Gangmasters and Labour Abuse Authority (GLAA) on +44 (0)345 602 5020. For 24-hour tactical advice regarding human trafficking investigations, contact the MSHTU on +44 (0)84 4778 2406.

For further information see APP on [Investigation – Scene strategy](#).

Checklist

Officers attending the crime scene should:

- consider their duty of care under the safeguarding procedures, and the [health and welfare needs of victims](#)
- consider the use of body worn video
- bring their own interpreter(s) if the operation is pre-planned
- have smartphones or tablets with saved questions in different languages – consider whether to [interview](#) immediately
- consider using pre-printed language translation cards to explain to potential victims who may not speak English the purpose of police attendance at the crime scene
- secure premises and individuals
- look for [indicators](#) of sexual exploitation, labour exploitation, domestic servitude, forced criminality or begging, organ harvesting, forced marriage, illegal adoption and child exploitation at the crime scene

- treat [victims](#), [suspects](#) and locations where exploitation took place as crime scenes
- conduct [searches](#) of premises and people under the [Police and Criminal Evidence Act 1984 \(PACE\)](#) as soon as practicable – officers should be able to explain the reasons for the search
- understand and be prepared for the possibility that victims will not necessarily want or be grateful for help
- physically separate suspects and victims as soon as practicable until their role and identity is established, especially in sexual exploitation cases
- be aware of dominant members of the group (also known as ‘alpha’ members) who exert control over their peers on behalf of the exploiters. They may intimidate or influence victims, and report back to the perpetrator. Victims are unlikely to speak in their presence. Early identification and management of alphas is essential
- take victims to a place of safety that can be sourced through local charities, NGOs and authorities, and allow them time alone
- promote anonymous channels of disclosure for those who fear they will be identified if they disclose, for example, [Crimestoppers](#) on 0800 555 111, [Modern Slavery Helpline](#) on 0800 0121 700, [ChildLine](#) on 0800 1111 or the [Gangmasters and Labour Abuse Authority](#) (GLAA) on +44 (0)345 602 5020
- initiate victim and witness [care](#) at the crime scene
- if victims include a child, contact the local authority children’s services immediately and complete a safeguarding referral. They may need to be taken into emergency care
- take detailed notes including identification information, and ensure all notes are logged in the force intelligence system
- request a crime scene investigator (CSI), who may need direction on relevant examinations and photography
- liaise with a [financial investigator](#) to assist with identifying lines of enquiry
- seize cash where grounds or powers exist. Consider [section 19](#) of the Police and Criminal Evidence Act 1984 and potential Proceeds of Crime Act 2002, [section 294](#) recovery from the outset
- secure forensic evidence immediately. Seek advice on crime scene preservation from a borough forensic manager or out-of-hours forensic services duty officer
- seize all potential [evidence](#) including financial, vehicle, retail, travel and employment documentation (official or informal), telecommunications equipment, and clothing
- note details or make copies of identity documents including passport, national insurance card, driving licence and national ID card

- check the immigration status of individuals found at the scene with UK Visas and Immigration (the immigration status of children is protected). This could be in the best interests of victims who wish to be [repatriated](#) or to exit illegal perpetrators from the UK. Be aware that an individual's immigration status may impact their engagement with authorities
- take voluntary DNA samples, fingerprints and photos if possible
- obtain an account from any potential witness (witness statement), including those at neighbouring premises
- be aware that evidence from witnesses must be taken separately
- make enquiries with the landlord or owner of the property where the crime took place. Be aware that they may be complicit. If relevant, obtain a statement, tenancy documentation and financial details
- make early arrests if grounds exist in accordance with the arrest strategy. This may promote confidence in victims.

The officer in charge should submit all intelligence on an intelligence report. They should then send a copy entitled 'Operation Eagle' (NPCC banner for modern slavery) to the relevant competent authority (MSHTU or UKVI) or the internal intelligence bureau.

Alongside developing the operational intelligence, officers should also consider how the information they have about victims, locations, and offenders involved can help build a national and international prevention picture. Identify who is responsible within the force for maintaining the [Police National Modern Slavery Data Tool](#) and consider intelligence gaps. More information is available on the Knowledge Hub Modern Slavery Community in the Data and Analysis section (this link is available to authorised users who are logged on to the [Knowledge Hub](#)).

Evidential items

These items should be seized from the crime scene and checked for leads and intelligence. This list is not exhaustive.

Identity documentation

Passport, driving licence, national insurance card, identification card.

Evidential check:

- Evidence of forgery, identity theft, fraud.

Telecommunications

Telephones, SIM cards, computers, laptops, tablets, digital media.

Evidential check:

- Contacts list on telephone and SIM cards, IMEI codes to track mobile telephones (only possible for contract phones), text messages, contact and browsing history, sat nav and navigation app memories, passwords, voicemail, video or audio recordings, photos, websites visited, saved files, use of apps, for example banks and train times, for intelligence and leads into additional potential offenders and organised crime groups.
- For sex trafficking, intelligence can be gathered from websites, for example Punternet, Adultwork.

Bank documentation

Credit cards, bank statements, loan and credit agreements, benefits statements, tax credits, paying-in slips, family allowances.

Evidential check:

- Locations of where these have been used, sent, signed or collected. Is there an opportunity for CCTV evidence?
- Paying-in slips to identify other people potentially involved in the organised crime network. Have international transaction ports been used?
- What are the payment patterns?

Vehicle documentation

MOT documentation, petrol receipts, maintenance records.

Evidential check:

- Reference these documents on the police national computer (PNC) for evidence.
- Is there opportunity for CCTV evidence?

Retail documentation

Purchase receipts, store cards, loyalty cards.

Evidential check:

- Use these to identify places visited, bank accounts etc.
- Is there opportunity for CCTV evidence?

Travel documentation

Flight and coach tickets, taxi receipts and bookings, travel labels, baggage tags.

Evidential check:

- Identify routes and points of entry/exit/transit.
- Is there opportunity for CCTV evidence?

Employment documentation (official or unofficial)

Duty sheets, pay slips, address books, diaries, contracts, documents from recruitment agencies.

Evidential check:

- Indications of staff takings, services available, working patterns, locations, names.

Others

Clothing, bedding, work equipment, photographs/images.

Evidential check:

- Send for forensic analysis.
- Consider use of digital stitching.

Intelligence opportunities

It is very important that intelligence for modern slavery investigations is not allowed to build up without action being taken. Early intervention is key to safeguarding victims.

Officers should ensure that they forward intelligence relevant to other countries whether or not it is relevant to an investigation in the UK.

There are a number of intelligence sources that can help an investigation and should be pursued. These include:

General

- open or publicly available sources, for example, media, web-based communities, public [data](#) (this link is available to authorised users who are logged on to the [Knowledge Hub](#))
- banks and building societies for account information and CCTV evidence
- public transport companies, for example, taxi, coach, train, bus
- airlines, especially low-cost carriers
- companies through which money is transferred internationally, for example, MoneyGram, Western Union
- Callcredit, Experian and Equifax reference agencies which highlight any links between victims and offenders through their bank accounts and credit histories

Force-to-Force

- basic command unit (BCU)
- force intelligence bureau (FIB)
- criminal and financial investigation team (CFI)
- regional organised crime unit (ROCU)
- covert human intelligence source (CHIS)
- [joint investigation team \(JIT\)](#)

Multi-agency

- problem profiles
- multi-agency safeguarding hub (MASH)
- national referral mechanism (NRM) information-sharing hub
- multi-agency risk assessment conference (MARAC)
- multi-agency reception centre

Local

- information following the dissemination of an intelligence requirement

- information from welfare and compliance visits to premises which are vulnerable to or suspected of being used for modern slavery
- records from local authority housing, social care, education, transport, fire and rescue, trading standards, town planning (for photographic intelligence) and children's services
- head offices of recruitment agencies
- teachers
- community workers
- faith groups
- magistrates
- Citizens Advice Bureau
- energy suppliers
- hostels
- food banks
- faith centres
- drop-in centres
- taxis
- hotels
- medical practitioners and dentists for records of injuries, health complaints and disclosures made to staff

National

- **Modern Slavery Human Trafficking Centre (MSHTC)**
- National Crime Agency (NCA) Joint Fusion Centre which has a dedicated modern slavery threat desk focused on identifying and mapping organised crime groups
- **Gangmasters and Labour Abuse Authority (GLAA)**
- **Border Force**
- **National Fraud Intelligence Bureau**
- **HM Revenue and Customs (HMRC)** for information on specific accounts, claims and child and working tax credits
- **Department for Work and Pensions (DWP)** for information on job seeker's allowance, disability living allowance and National Insurance number applications
- **Land Registry** to identify assets held by suspects or registered in the victims' names
- **Companies House** to check the legitimacy of a company

International

- NCA Border Policing Command liaison officers
- Joint border intelligence unit (JBIU), which ensures that information is developed and shared between the NCA, Border Force, police and other law enforcement agencies at the UK border
- Home Office Immigration Compliance and Enforcement – Risk and Liaison Overseas Network (RALON) officers
- International police liaison officers based in diplomatic missions (embassies, high commissions) in the UK and overseas
- Crown Prosecution Service (CPS) liaison magistrates in France, Italy, Spain, Pakistan, the United Arab Emirates and the USA
- Immigration Compliance and Enforcement (ICE) teams in the host country provide information on the legal status of a person
- **Europol** – EU police forces and law enforcement can exchange criminal intelligence here. The UK Liaison Bureau in Europol facilitates intelligence exchange for the UK. Europol has the following cooperation agreements in place:
 - operational agreements with Australia, Albania, Canada, Colombia, Croatia, Iceland, Norway, Switzerland and the United States of America (including a supplemental agreement between Europol and the USA on the exchange of personal data and related information)
 - strategic agreements with Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia, Moldova, Russia, Turkey, the Republic of Serbia and Montenegro
 - operational agreements with Eurojust and INTERPOL
 - strategic agreements with the European Central Bank, the European Commission, the European Monitoring Centre for Drugs and Drug Addiction, the European Anti-Fraud Office, the World Customs Organisation and the United Nations Office on Drugs and Crime
- **European Multidisciplinary Platform against Criminal Threats (EMPACT)**. This is an EU project to tackle human trafficking threats identified by Europol. It brings together police forces across the EU, Europol, INTERPOL, Eurojust, Cepol, Frontex and the European Commission
- **Eurojust** for judicial cooperation
- **European Police College (CEPOL)** provides police training in EU law enforcement
- Government Agencies Intelligence Network (GAIN)
- United Kingdom Central Authority for the Exchange of Criminal Records (UKCA-ECR)

Databases

- force intelligence database
- Police National Computer (PNC)
- Police National Database (PND)
- Violent and Sex Offender Register (ViSOR)
- NAFIS (National Automated Fingerprint Identification System) database
- LiveScan fingerprinting database
- E-Borders database for the collection and analysis of passenger information
- ACPO Criminal Records Office (ACRO) database (if identity of person is known)
- I-24/7 database in the host country
- EUROPOL's Secure Information Exchange Network Application (SIENA) which is applicable to EU member states only
- European Criminal Records Information System (ECRIS)
- European Information System (EIS)
- Phoenix database for information on live trafficking investigations
- Schengen Information System II (SIS II) for countries in Europe

Early engagement can provide clarity and scope to the investigation, address resource issues and define objectives.

For further information see:

- [APP Intelligence management](#)
- [Police National Modern Slavery Data Tool \(available to authorised users who are logged on to the Knowledge Hub\)](#)
- [APP Investigation, International investigations](#)

Challenges and solutions

Challenges and solutions that officers have experienced in previous investigations of modern slavery offences may be useful when developing an investigative strategy. For a platform to record your experiences and to reference case studies, see the [Knowledge Hub Modern Slavery community](#) (available to authorised users who are logged on to the [Knowledge Hub](#)).

Gaining access to suspected sites to collect evidential material may be difficult.

- Take aerial photographs of the relevant areas of the work site, for example, accommodation.
- Consider the use of covert officers.
- Consult agencies which may be accessing or could access a site using their own designated powers, for example, Fire Safety Officer, Housing Officer, Environmental Health Inspector, Gangmasters Licensing Enforcement Officer.
- Consider other [Regulation of Investigatory Powers Act 2000 \(RIPA\)](#) applications

It is challenging to identify perpetrators by names alone, as there are likely to be many people with the same name and/or family name.

- Write a family tree and hierarchy chart of names and relationships, for example, 'mummy', 'daddy' or nicknames.
- It may be possible to identify offenders via their fingerprints or other [biometric data](#).
- Offenders may have distinguishing physical features.

Victims are unwilling to report offences for fear they will not be paid their wages, will lose their livelihood, and that they will be harmed.

- Conduct a victim needs assessment. See [Ministry of Justice \(2020\) Code of Practice for Victims of Crime](#) for details.

What if the victims are of bad character themselves?

- The investigation should focus on the allegation and not on the credibility of the victim.

Potential victims are unwilling to disclose at the crime scene.

- If a number of potential victims are identified at the crime scene, it may be that offenders are within the group and victims are [scared to disclose](#).
- Remove each individual from the crime scene to a safe place, physically separating them to keep potential victims away from traffickers/facilitators/controllers.
- Victims and witnesses may be unwilling to disclose in the presence of children. Ensure [interviews](#) are conducted in private while children are safeguarded.

Victims/witnesses do not trust the police.

- Avoid change of personnel for consistency, reassurance and to establish a rapport.
- Dispel any fears of law enforcement agencies. Victims may have been coerced over time and are likely to be traumatised.
- Assure the victim that their account is believed.
- Consider working with a suitable [anti-slavery charity or non-governmental organisation](#) to assist in building trust with the victim/witness.
- Do not wear police uniform when speaking to victims, as this may invoke fear. For some, certain colours may engender mistrust. Contact the [UKHTC](#) for further advice.
- Make the victim feel safe and supported, [interviewing](#) them sensitively and respectfully.

What if the victims are also perpetrators? If victims are convicted of offences, perpetrators may force them to plead guilty and enslave them upon their release.

- [Section 45 of the Modern Slavery Act 2015](#) has introduced a statutory defence for slavery or trafficking victims who commit an offence, if it can be evidenced that they were compelled to commit the offence as a result of [exploitation](#). The defence in section 45, however, does not apply to victims who have committed offences outlined in [Schedule 4 of the Act](#).

Victims go missing following referral into the national referral mechanism, even when they have received a positive reasonable grounds decision.

- They may have been enslaved again.
- Often this is driven by a fear of being deported, or their immigration status.
- Avoid questions regarding immigration status until after a conclusive decision in the national referral mechanism has been reached.

Victims/witnesses do not want to be identified when they disclose.

- Promote channels which allow them to report an offence anonymously, for example, [Crimestoppers](#) on 0800 555 111, [Modern Slavery Helpline](#) on 0800 0121 700, [NSPCC Child Trafficking Advice Centre](#) on 0808 800 5000, or [Gangmasters and Labour Abuse Authority](#) on +44 (0)345 602 5020.

How can an investigation be conducted when the victim(s) have returned to their home country?

- It is important to discover and recover all evidence from the start of an investigation to increase the potential for a [prosecution](#) without the victim's testimony.
- If victims have returned to their home country, officers need to establish whether they are prepared to return to give evidence.
- An [Achieving Best Evidence \(ABE\)](#) interview can be conducted. An officer can travel to the victim's home country to obtain evidence, or UK law enforcement can request authorities in the home country to take evidence in accordance with the [Criminal Procedure Rules](#). It is advisable to request that an officer from the UK attends to oversee the procedure. See also the [joint investigation team](#).
- UK officers should maintain contact with the victim to keep them advised on the progress of the case, or request authorities in the victim's home country to maintain contact. Any issues about protection should be dealt with law enforcement to law enforcement.
- If the victim is prepared to return to the UK to give evidence, the police should facilitate communication and may arrange travel and accommodation.
- If the victim wishes to give evidence from their home country, the Crown Prosecution Service (CPS) will apply for a TV link and arrange this through a [letter of request \(LOR\)](#). If an LOR was previously agreed with the originating country then this would be covered in a supplementary international letter of request (SILOR)
- Where perpetrator identification is required, a video identification parade electronic recording (VIPER) can be held via video link.

Cross-border investigations

The information in this section applies when the [suspect](#) is a:

- foreign national offending against a foreign national in the UK
- foreign national offending against a British national overseas
- British national offending against a foreign national overseas
- British national offending against a foreign national in the UK

When conducting a cross-border investigation, the investigating officer should refer to the principles set out in [APP on international investigation](#). Additional assistance can be obtained from the force international liaison officer (ILO).

Early police-to-police enquiries with law enforcement overseas can assist in obtaining relevant information to support and corroborate victim accounts and strengthen the [prosecution](#) case. Where evidence is needed, early consultation with the Crown Prosecution Service (CPS) is advised. This includes the need to obtain evidence as part of the [financial investigation](#), as assets and money are often transferred out of the UK. Also consider approaching [Europol](#) and [Interpol](#) for assistance. A 5x5 must be sent via Europol to colleagues in another country. Officers seeking advice should not contact law enforcement agencies in a third country directly.

Any person who is a foreign national and is involved in a case of modern slavery as a suspected perpetrator, victim or witness should have their background checked and be identified by the Immigration Enforcement Command and Control Unit on +44 (0)3000 134 999.

If the person is an offender residing illegally in the UK, the investigator should also refer to [Home Office Immigration Compliance and Enforcement \(HO ICE\)](#) teams.

Officers seeking advice should not contact law enforcement agencies in a third country directly.

Joint investigation team

A joint investigation team (JIT) is a structure consisting of judges, prosecutors and law enforcement authorities. The team is created for a fixed period with a specific purpose, based on an agreement between two or more European Union (EU) member states and/or competent authorities. Non-EU member states may participate in a JIT with the agreement of all other parties.

Evidence obtained by officers in other states can be used as set out in the JIT agreement, which may include use at criminal trials. This avoids the need for LORs.

Where it is suspected that there are further perpetrators based overseas, a joint investigation team may improve the quality of the investigation. [Eurojust](#) can facilitate the process.

For further information see:

- [Joint Investigation Teams Manual – Legislation](#)
- [Model Agreement for setting up a Joint Investigation Team](#)
- [Funding information for projects tackling modern slavery](#)
- [APP on international investigations](#)

Tags

Modern slavery