

Modern Slavery Bill

Factsheet: Reparation Orders (Clauses 8-10)

Minister for Modern Slavery and Organised Crime, Karen Bradley:

“It is totally unacceptable that victims almost never receive compensation for their horrendous experiences.

We need to use the ill-gotten gains of slave-masters and traffickers to provide redress direct to their victims for the distress, abuse and suffering they have been subjected to.

We are introducing new, bespoke Reparation Orders to ensure that the courts have the necessary tools to properly compensate victims for their awful experiences.”

Background

Powers currently exist to order offenders convicted of modern slavery offences (or other offences) to provide compensation to victims. However, these are very rarely used in modern slavery cases. In the last eleven years, there have only been three cases where a criminal convicted of a principal offence of human trafficking has been ordered to pay compensation in this way.

What we are going to do

We are going to introduce bespoke Reparation Orders through the Modern Slavery Bill. These new orders will give the courts further powers to provide for compensation to be paid from the perpetrator to the victims of modern slavery offences, and so will help ensure that victims are properly compensated for their suffering.

The Modern Slavery Bill provides that where the perpetrator has assets available, as evidenced by a confiscation order, the court must consider making an order to provide reparation to the victim, and give reasons if it does not. The link to a confiscation order ensures that funds will actually be available to pay victims.

The Bill will also stipulate that where the court wants to impose a fine and a Reparation Order, but the offender can't afford both, the Reparation Order would be paid first, as support for the victim is our priority.

Benefits

- More victims will receive compensation for the distress, abuse and suffering they have endured.
- Compensation will not be promised to a victim where the perpetrator has no funds to pay it.
- Courts will have to consider making Reparation Orders every time they convict a modern slave driver and confiscate their assets.
- These measures will send a clear message that modern slavery in the UK does not pay, and should deter future slave drivers.

Q&A

Who would pay for the Reparation Order?

The amount of any Reparation Order made by the Court would be paid for by the offender.

How much will a victim receive?

The Court will determine the amount to be paid to the victim based on the level of harm and the amount of the Confiscation Order made against the perpetrator.

The amount of the Confiscation Order is dependent on how much the Court deems the offender to have made from their criminal behaviour and the assets the defendant has available to be recovered by way of the Confiscation Order.

**Home Office
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