

Information about Victims' experiences of the Police
Hope for Justice 10 March 2019

Summary of main issues experienced by Hope for Justice Independent Modern Slavery Advocates (IMSA)

- 1) The majority of our clients do wish to report, either immediately or after they feel safe and stable. Some clients have had a very positive experiences. All the prosecution cases we have been involved with have resulted in convictions (except 2 discontinued on points of law). 100% of the clients we have been working with have been able to attend court as witnesses when required to do so. However, we have found in many instances a reluctance to investigate and pursue prosecutions.
- 2) Cases have been marked No Further Action (NFA) without the victim even being spoken to or interviewed, decisions have been made about credibility without consideration of the effects of trauma.
- 3) The Victim Code is regularly not complied with and victims do not know what is happening to the case. This causes additional stress to the victim as they feel they have not been believed and no one is doing anything.
- 4) When the decision to take No Further Action has been made, in many circumstances, no one explains the decision to the client or gives updates in compliance with the Victims Code. Hope for Justice IMSAs have consistently requested the police to update clients and the police have not done so. Hope for Justice IMSAs will regularly chase for updates and confirmation that cases are being investigated.
- 5) If a decision is NFA, the victims do not receive in writing the reasons for the decision. The lack of written confirmation means no audit trail exists and the victim is unable to assess whether their case has grounds for review. The lack of written confirmation means victims and their IMSAs are unable to access review processes. There is no clarity that a case is NFA and reasons for lack of investigation.
- 6) There can be disconnect between the National Referral Mechanism (NRM) form and the crime reference number. Hope for Justice have had cases where the NRM form has been sent to the police force but the crime reference number has not been connected with it. In one particular case, the Hope for Justice IMSA spent 3 days trying to locate the detective dealing with a particular case to check progress as the NRM number had not been connected with the crime reference number. A failure to issue a crime reference number at all can impede aspects of the case e.g. accessing criminal injuries compensation.
- 7) There have been cases where a poor or inappropriate interpreter has been provided. In one case, a Latvian female was only given access to a Russian interpreter and she spoke very little Russian. The language barrier meant the victim was unable to disclose that she was a victim of human trafficking and had been violently assaulted by the perpetrator.
- 8) There is little knowledge of APP practices and procedures/NRM process and legislation generally. Where a police force has a specialist Modern Slavery Unit, the understanding in the police force is better but the officers on the front line can still have little or no knowledge of modern slavery in practice.

The table below highlights some individual cases with common circumstances that our clients face when dealing with the police, they are from a variety of police areas.

	Type of exploitation	Experience with the police
1	Labour Exploitation	Hope for Justice reported the intelligence to police in January 2018. There were approximately 10-15 phone calls and emails chasing action by police from Hope for Justice between January and – April 2018. An interview was finally arranged with the victim in April 2018. A further ABE video interview was arranged for May 2018. The victim provided police with the details of the trafficker, location and business name and he provided details of a possible further victim. Police contacted Hope for Justice in August 2018 and confirmed that the case for modern slavery had not been ‘made out’ as there was insufficient evidence. As far as can be ascertained from the police contact, it would appear that the only evidence considered was the interview with victim. Police suggested that no other evidence had been considered (e.g interviews with potential trafficker/other possible victim). Police did not contact the victim to let him know the outcome.
2	Labour Exploitation	2 victims thought they were going to be witnesses in criminal trial, really big step for them as they were very traumatised and scared from their trafficking experience. Police arranged for Discretionary Leave to Remain (DLR) to be granted, but then never followed up with the victims. The victims waited for months and months for news. Hope for Justice and a solicitor tried to obtain updates, the case was passed from officer to officer, we couldn’t find anyone with knowledge of the case, or any indication that the case was being dropped. No police contact whatsoever with the victims.
3	Labour and Sexual Exploitation.	Police dismissed 2 victims as witnesses as a police officer considered they were not credible. Therefore, the police did not take the investigation into trafficking any further. Even when the victims were contacted by traffickers (following a positive Conclusive Grounds decision) the police took no action due to their previous decision about credibility. Seems like no consideration to the victims’ trauma. The victims have now lost faith in the police.
4	Labour Exploitation	The victim was identified by Hope for Justice and entered the NRM. The victim wished to cooperate with the police and reported his trafficking. Following a positive Conclusive Grounds decision, a request for DLR was made. After several months due to a history of minor criminal offences, the victim’s DLR was refused and he was arrested at a safe house and taken to a detention centre. Hope for Justice assisted in getting him legal advice, his deportation appeal was successful and his detention deemed unlawful. He doesn’t trust anyone now and this experience hugely impacted on his recovery. The police involved in the prosecution did not act to prevent his deportation as they felt a conflict of interest with the Home Office. However he continued to support the prosecution despite this treatment.
5	Sexual Exploitation	A victim reported their trafficking experience to the police. Their support worker was advised that that both the victim and the perpetrator would be dealt with for immigration breaches and deported rather than conducting a further investigation of the trafficking circumstances and offences.
6	Labour Exploitation	The police disclosed the address of the victim (a safe house) to defence as part of the ABE video interview.
7	Labour Exploitation (various regions spanning 8 years)	The report by the victim was made to the police in February 2015. By September 2016 the victim had still heard nothing from the police regarding the progress of the investigation. Hope for Justice had chased on many occasions and it finally became apparent that the file was closed NFA in September 2015. The victim was not informed until the Hope for Justice IMSA informed them. In July 2017 Hope for Justice requested written reasons to be given to the victim. No response was received. Hope for Justice chased again in February 2018 and were informed the matter had been passed to another police force. The police have never replied to Hope for Justices request for reasons for the decision to NFA. The victim has mental health issues and remains confused about the lack of communication from the police.
8	Sexual Exploitation	The police investigation seems to have consisted of an interview with the alleged perpetrator - who denied the offence. Then in the absence of CCTV or other witnesses (it is unclear whether an investigation to find other witnesses had taken place) the decision was taken for NFA. After much chasing Hope for Justice was informed of this via an email from a police officer. Hope for Justice requested for that the victim to be informed but the police have not done so. The victim remains confused and upset about the lack of communication from the police.