



Home Office

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Jess Phillips MP
House of Commons
London
SW1A 0AA

5 March 2024

Dear Jess,

Criminal Justice Bill: Definition of human trafficking

I am writing to follow up on the Commons Committee debate on the Criminal Justice Bill on the 30 January 2024, regarding new clause 24 (which proposed to amend the definition of human trafficking in section 2 of the Modern Slavery Act 2015 to remove the reference to travel) and your request for data on convictions under section 1 of the Modern Slavery Act (MSA) 2015 (Official Report, column 516-518).

The Government recognises that the nature of modern slavery crimes can make them complex to investigate and prosecute due to a number of factors. This includes the hidden nature of the crimes, which are often linked to other offending where individuals and organised crime groups commit multiple criminal offences. This can leave victims who may not recognise themselves as such, traumatised and not willing to support prosecutions. For these reasons some offenders may ultimately be prosecuted for and convicted of other serious offences that are not specifically modern slavery offences, such as a conspiracy offence under the Criminal Law Act 1971, or offences under the Misuse of Drugs Act 1971 and the Sexual Offences Act 2003.

The Crown Prosecution Service (CPS) collects and publishes data on flagged modern slavery cases through its case management system to monitor where defendants are charged, prosecuted and convicted of modern slavery and human trafficking offences under the MSA 2015 and other relevant legislation in England and Wales as mentioned above. Data is collected by the CPS in this way to better reflect the outcomes in modern slavery cases, however, they are provided as a total number of prosecutions and convictions and not broken down by offence types under the MSA 2015 or other relevant legislation.

The latest data published by the CPS for Q1 and Q2 of the 2023/24 financial year, shows that there was a total of 170 prosecutions for flagged modern slavery cases. Data for the last full financial year shows there was a total of 383 prosecutions in 2022/23. Further detail can be found on the CPS website: [CPS data summary Quarter 2 2023-2024 | The Crown Prosecution Service](#).

As I explained in Committee, the Government believes that sections 1 and 2 of the MSA 2015 capture all aspects of modern slavery offending and are aligned to international definitions. Section 2(3) of the MSA 2015 qualifies travel in the broad terms set out in the UN's definition of human trafficking. In addition, section 1 of the MSA 2015 does not require travel and is explicit that a victim's consent is not a barrier to determining whether an offence has taken place. More importantly, law enforcement and CPS partners have not raised any concerns about the definition of human trafficking and the requirement for travel causing operational difficulties when investigating or prosecuting offences under section 2 of the MSA. However, we continue to keep our definitions under review to ensure they adequately capture new and emerging forms of slavery and human trafficking.

I am copying this letter to Alex Cunningham and placing a copy in the library of the House.

Yours sincerely,

A handwritten signature in dark ink, appearing to read 'Laura Farris', written in a cursive style.

Laura Farris MP