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Transnational Investigation of Organised Modern Slavery: What Works?

'A Review of the Evidence'.

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Please note every effort has been made to keep the contents of this document up to date (completed 31st March 2020). However, policies and procedures are subject to regular updates and where they are likely to have changed a footnote has been added to direct the reader to sources of up to date information.

Abstract

The police and organised crime groups (OCGs) continually adapt to be one step ahead as OCGs prosper from globalisation and the tools of late modernity to operate in new spaces to avoid detection. OCGs move online into virtual spaces or spread their criminal enterprises across state borders and into legitimate businesses. So, how do the police view the transnational space in which organised crime operates and how is that transnational space policed and does it work?

During 2018, Derbyshire Constabulary worked as part of a Joint Investigation Team (JIT) with Latvian Police to disrupt transnational organised modern slavery. Officers involved in the JIT have been interviewed, Open Source Intelligence (OSINT) has been analysed and nodal network analysis used to develop knowledge of Transnational Organised Crime (TNOC) and the police response to it using a JIT.

The OCG in question operated in a space created by the availability of vulnerable people who could be exploited in the UK job market. This paper demonstrates how the police re-configured their understanding of TNOC spaces and subsequent interventions within the global, regional, national and glocal spaces that form Bowling and Sheptycki's (2012) global policing. Evidence has been drawn showing how the police respond within the glocal sphere of global policing, demonstrating what works and that policing appears to be more glocal than global. There is no loss of sovereignty using JITs. Deflem's (2002) policeization has the potential to overcome potential challenges such as Brexit; particularly when, as with the operation researched (*Operation Doubrava*), transnational subcultures develop a co-operative network of willing and able police officers. Those officers make victims a priority but make sure the investigation and collection of evidence is open minded and the accused are given a fair trial. In summary, what works, is a 'Glocal Victim Focussed Willing and Able JIT Approach'.

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1. [List of Abbreviations](#)

ACPO - Association of Chief Police Officers

AHRC - Arts and Humanities Research Council

APCC - National Association of Police and Crime Commissioners

ASI – Anti-Slavery International

ATMG - Anti-Trafficking Monitoring Group

BCU – Basic Command Unit

CEPS - The Centre for European Policy Studies

CHIS – Covert Human Intelligence Sources

CJS – Criminal Justice System

CoP - College of Policing

Co-op – The Cooperative Group

CPS - Crown Prosecution Service

CRQ - Central Research Question

DG – Director General

ECHR – European Convention on Human Rights

ECPAT UK - Every Child Protected Against Trafficking

EFEG – European Firearms Expert Group

EHRC – Equality and Human Rights Commission

EIA – Early Investigation Advice

ENU-UK - Europol National Unit–UK

EU - European Union

EUROJUST – The European Union’s Judicial Co-operation Unit

EUROPOL - EU Law Enforcement Agency or European Police Office

GLA – Gangmasters Licencing Authority

GLAA – Gangmasters and Labour Abuse Authority

GMP – Greater Manchester Police

HMCPSP – Her Majesty’s Crown Prosecution Service Inspectorate

HMIC – Her Majesty’s Inspectorate of Constabulary

HMICFRS - Her Majesty’s Inspectorate of Constabulary and Fire & Rescue Services

HMRC – Her Majesty’s Revenue and Customs

HOLMES - Home Office Large Major Enquiry System

IASC - Independent Anti-Slavery Commissioner

IBIN - Interpol Ballistic Information Network

IBIS - Integrated Ballistics Identification System

ICTA - Independent Child Trafficking Advisers

IE – Immigration Enforcement

ILO - International Liaison Officer

ILOrg. – International Labour Organisation

ILOR - International Letters of Request

INTERPOL - International Criminal Police Organisation

IRMSA - Independent Review of the Modern Slavery Act

JIT - Joint Investigation Team

JRF - Joseph Rowntree Foundation

JSTAC - Joint Slavery and Traffic Analysis Centre

LEA - Law Enforcement Agency

M15 - UK Security Services

MLA - Mutual Legal Assistance

MO - Modus Operandi

MPS – Metropolitan Police Service

MSHTU - Modern Slavery and Human Trafficking Unit

MSPTU – Modern slavery Police Transformation Unit

NCA – National Crime Agency

NCIS - National Criminal Intelligence Service

NCRS - National Crime Recording Standards

NCS - National Crime Squad

NGO – Non-Governmental Organisation

NHTU – Police Scotland National Human Trafficking Unit

NIM – National Intelligence Model

NMSTG – National Modern Slavery Threat Group

NPCC – National Police Chiefs' Council

NRM – National Referral Mechanism

OCB - Organised Crime Branch (of the PSNI)

OCG - Organised Crime Group

OCTF - Organised Crime Task Force (of the PSNI)

OLAF – European Anti-Fraud Office

Operation Doubrava – The Latvia/Derbyshire police transnational investigation of modern slavery

OSINT – Open Source Intelligence

OU – Open University

PCCs - Police and Crime Commissioners

PCSO - Police Community Support Officer

PSNI - Police Service of Northern Ireland

QMUL - The School of Law at Queen Mary University of London

REA – Rapid Evidence Assessment

RNP - Romanian National Police

ROCU - Regional Organised Crime Units

SHU - Sheffield Hallam University

SIENA - Secure Information Exchange Network Application

SIO - Senior Investigating Officer

SLN – SOCA Liaison Network

SNE - Seconded National Expert

SOCA – Serious Organised Crime Agency

THB – Trafficking in Human Beings

TNOC – Transnational Organised Crime

UK - United Kingdom

UKBA – United Kingdom Border Agency

UKHTC - United Kingdom Human Trafficking Centre

UN – United Nations

USA - United States of America

WW II – World War II

2. [Executive Summary](#)

The executive summary is produced as a separate paper circulated with this document. There are also two separate journal articles circulated with this document. One is published and captures the essence of the rapid evidence assessment (REA), included as part of this study. That REA is an evaluation of the use of JITs to investigate and disrupt transnational modern slavery impacting on the UK (See – Severns, Paterson and Brogan 2020). The other is yet to be published and suggests a way towards developing a global willing and able police by analysing transnational police culture (see Severns, Paterson and Brogan 2020a¹).

3. [Introduction](#)

Dr. Craig Paterson and Dr Richard Severns from Sheffield Hallam University (SHU) research organised crime and how it is policed. They have been assisted in their research by Sou Brogan a prospective Doctoral candidate researching Trafficking in Human Beings (THB). Dr Paterson has previously researched all areas of policing, with a focus on restorative justice, police surveillance and human rights. Dr Severns, a retired police Detective Inspector, has previously researched the police transnational firearms intelligence network and its impact on policing within the context of Bowling and Sheptyki's (2012) theory of global policing.

In 2018 Dr Paterson and Dr Severns teamed up with Derbyshire Constabulary to research the policing response to transnational organised crime (TNOC). This study critically analyses what worked in respect of the Joint Investigation Team (JIT) put together to investigate organised modern slavery taking place between Latvia and England. The investigation by Derbyshire and Latvia Police facilitated by Europol and Eurojust took place between 2017 and 2018 and was known as '*Operation Doubrava*'.

Evidence of what works is drawn from semi-structured interviews with police participants in the JIT and wider Open Source Intelligence (OSINT) and Nodal Network analysis. To add to the critical analysis of what works, this study was preceded with evaluation research of previous transnational investigations of modern slavery.

¹ The authors welcome feedback on this unpublished paper via Dr Richard Severns @ R.Severns@shu.ac.uk (please also contact Dr Severns if you require a copy of the unpublished paper).

Evaluation research examines the effects of an intervention on a specified problem. It considers cause and effect to explain what has happened as a result of the intervention (Bachman and Schutt 2008, Semmens 2011). A rapid evidence assessment (REA) of the evaluation of the use of JITs to investigate and disrupt transnational modern slavery impacting on the UK was completed. The assessment was of evaluation, reviews and inspections carried out by various organisations before a cut-out date of 9th March 2019. It did not include individual JIT debriefs as there was no access to such debriefs other than the annual review of debriefs completed by the JIT network of experts. Those reviews have been considered in the background to the REA so that they could be compared in the discussion chapter with wider REA findings.

Organised Crime Groups (OCGs) continue to pose a transnational threat to global insecurity and they are '*more in tune with globalisation*', than those who police them (Lilley 2009, p137). That threat includes an increase in modern slavery by OCGs. However, Law Enforcement Agencies (LEA) in the UK are constantly developing their knowledge and adapting their response to the threat (NCA 2018). Derbyshire Constabulary have worked as part of a JIT with Latvian Police to disrupt modern slavery by a transnational OCG and to bring members of that OCG to justice under the operational name, '*Doubrava*'. The JIT supported at least 28 victims of modern slavery and secured the conviction of nine persons for modern slavery related offences (SHU 2019). Prison sentences for those convicted totalled 33 years (MSPTU 2019).

There are many interpretations of organised crime in the academic literature and in various police and LEA strategies. Severns (2015, p33) provides a summary of organised crime, stating it can be defined as, '*more than one person working together over a period to commit crime for personal gain. By committing crime, or in order to protect their criminal enterprise, those criminals present a serious threat to society by way of violence, corruption or damage to the economy*' (See also Hobbs 1998, Levi 1998, Reichel 2005, Levi 2007, SOCA 2009, and Severns 2012). ([See recommendation 1](#)).

Jesenicnik and Razinger (2014, p9) provide a working definition of a JIT as, '*... an investigation team set up for a fixed period, based on an agreement between two or more countries or other competent authorities, for the investigation of a specific criminal offence*' .

According to previous academic literature, Europol facilitate and promote JITs as best practice in transnational investigations in Europe, but in practice JITs are difficult to establish due to different nation state laws, practices and procedures. JITs have improved information sharing but there has been little UK involvement in JIT partnerships in the past. They can be efficient and practical. However, other well-established bi-lateral agreements such as International Letters of Request (ILORs), which establish real time co-operation and simultaneous targeting of the same crime problem with police operating in their own nation states, support a bilateral transnational policing policy (Horvatits and de Buck 2007, Block 2012). Therefore, there is a need for further academic research into the use of JITs to ensure that they are 'fit' for the future, particularly in the context of Brexit and the future of UK police relations with European Union (EU) partners and Europol (Great Britain, Home Office 2018).

The REA consolidates previous studies; by completing a synthesis and critical evaluation of existing qualitative evaluation research literature, reviews and inspections on the use of JITs and other methods to investigate transnational modern slavery. The REA has been completed based on established REA principles (Civil Service 2010, CoP 2017) but due to the lack of evaluation research on JITs it has also included organisational reviews and inspections by the likes of the Crown Prosecution Service (CPS) and Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS).

The Maryland Scale (reproduced at Appendix 10.2) has been used for evaluating the research results analysed for the REA. They have been consolidated and presented using a narrative synthesis (Butler et al 2004). The REA focused on completed research, reviews, and inspections into the transnational investigation of modern slavery to establish what works. This is in response to the College of Policing's (CoP) (2017) wider request for evidence of what works in policing and was completed to enhance the research of *Operation Doubrava* and how that worked. This REA and the research of *Operation Doubrava* contributes to the theoretical argument on Global Policing (Bowling and Sheptycki 2012).

Alongside the REA and the *Operation Doubrava* analysis, level 6 dissertation students at Sheffield Hallam University (SHU) researched some wider aspects of investigating human trafficking. The findings from those critical literature reviews are assessed in the discussion

chapter to this study along with the REA findings and the *Operation Doubrava* analysis. Dissertation students considered several questions associated with the REA and the *Operation Doubrava* analysis.

The Central Research Question (CRQ) and aim of the REA was, “To evaluate how effective JITs, and other similar interventions, have been at safeguarding victims and investigating and disrupting transnational organised modern slavery impacting on the United Kingdom (UK)?”

The REA objectives in meeting the aim were:

- To provide an analysis of ‘where we are now’ in the academic understanding of how JITs are used to investigate modern slavery and whether they work.
- To provide a review of the existing literature and research to guide further research into *Operation Doubrava*.
- To assist students with gathering knowledge on transnational police investigation and Transnational Organised Crime (TNOC).

The REA complements the grounded theory research (Chamaz 2006) into *Operation Doubrava*. That research was based on analysing debrief interviews with police officers and staff from Derbyshire and Latvia who took part in the *Operation Doubrava* JIT, which was then grounded in further OSINT and nodal network analysis.

The aim and CRQ of that research was, “To develop further knowledge of the police response to TNOC through a critical exploration of *Operation Doubrava* and the role of Joint Investigation Teams (JITs)”.

The objectives in meeting the *Operation Doubrava* research aim were:

- To understand and share best practice on the investigation of transnational organised modern slavery and the role of JITs.

- To use knowledge gained during *Operation Doubrava* to disrupt modern slavery.
- To understand the potential impact of Brexit on JITs and the implications for collaborations between the UK and European police partners.
- To use knowledge from *Operation Doubrava* to support student learning.

Modern slavery is the terminology used in England and Wales as an umbrella term to cover all forms of slavery and Trafficking in Human Beings (THB). It is accepted that this terminology is contentious (see Sereni and Baker 2018), but it will be the predominant terminology used in this paper as England (as part of the UK) is the main area of focus for this study.

The overall aim, in merging the findings from the REA and the grounded theory analysis of *Operation Doubrava*, was to contribute to the evidence of what works in respect of the transnational investigation of modern slavery. To achieve that aim, the evidence is presented in four parts within this study:

Part I sets the scene with a critical analysis of the background literature and the methodology used to gather the evidence for the REA and the analysis of *Operation Doubrava*.

Part II is a presentation of the REA findings together with findings from individual undergraduate student research.

Part III is a presentation of the *Operation Doubrava* findings.

Part IV is the overall conclusion drawn from both sets of findings and recommendations on what works and what could work in the future.

PART I – ‘SETTING THE SCENE’

“No one shall be held in slavery or servitude and no one shall be required to perform forced or compulsory labour.” (OU 2016, EHRC 2016).

4. [Background](#)

4.1 [Modern Slavery](#)

According to the literature, if you are a slave, you are owned by another person who controls where you live and the work you do. You are often forced to work for no pay and live in poor conditions. You are the property of your owner and can be traded as such.

Slavery was abolished in the 19th Century but it continues today and affects millions around the globe. It can include Trafficking in Human Beings (THB) as well as forced and bonded labour. At one time, slavery was considered as normal practice. Aristotle emphasises this by saying that it is necessary and expedient that some should command, and others obey, *“Indeed (he says), some things are so divided right from birth, some to rule and some to be ruled”* (OU 2016).

In the first century, Roman empire slaves had no legal status. They were the property of their masters. Hereditary serfdom was a common form of slavery in the middle ages in Europe. Then in the 14th century the transatlantic slave trade began. African slaves bought in exchange for European goods were shipped to America and the Caribbean. There, they were sold in exchange for goods that were transported back to Europe. Conditions on slave ships were inhumane for those being transported as slaves. In many cases, the conditions were not much better when they arrived in the Americas where they were put to work, mainly on plantations (OU 2016).

Britain abolished slavery in 1833. This was the result of the Abolition of the Slave Trade Act of 1807, which banned the carrying of slaves on British ships, and the Abolition of Slavery Act of 1833, which banned slavery across the British Empire. This made slavery illegal and existing British slaves were given their freedom. Other countries, including the United States of America (USA) and France also banned slavery in the 19th century. Mauritania was the last country to ban slavery, but not until 1981 (OU 2016).

Slavery was common during major wars. In World War II (WW II) the Nazis, amongst other atrocities, forced many to work for no pay in concentration camps and the Japanese military forced thousands of women from Korea, China and the Philippines into sexual slavery. Sexual slavery as evidenced in WW II, existed during later conflicts such as the war in the former Yugoslavia and in Sierra Leone. An International Criminal Court statute of 1998 made

enslavement and sexual slavery crimes against humanity (OU 2016). However, slavery still exists in many forms today (EHRC 2016).

Such continuing slavery in its many forms has become known as '*Modern Slavery*' (OU 2016). Modern slavery is prohibited by several international human rights declarations and covenants. Article 4 of the European Convention on Human Rights (ECHR) states that, "*No one shall be held in slavery or servitude and no one shall be required to perform forced or compulsory labour.*" (OU 2016, EHRC 2016).

The Human Rights act 1998 incorporated ECHR into British law, setting the rights for everyone in the UK. This includes rights which are relevant to modern slavery:

Article 3 – Freedom from torture and in-humane or degrading treatment.

Article 4 – Freedom from slavery and forced labour.

Article 5 – Right to liberty and security.

Article 4, which is specific to modern slavery states:

"1. No one shall be held in slavery or servitude.

2. No one shall be required to perform forced or compulsory labour.

3. For the purpose of this Article the term 'forced or compulsory labour' shall not include:

- any work required to be done in the ordinary course of detention imposed according to the provisions of Article 5 of this Convention or during conditional release from such detention*
- any service of a military character or, in case of conscientious objectors in countries where they are recognised, service exacted instead of compulsory military service*

- *any service exacted in case of an emergency or calamity threatening the life or well-being of the community, or*
- *any work or service which forms part of normal civic obligations.” (EHRC 2016).*

It is the responsibility of the state to uphold the rights of its citizens and to ensure the law protects its citizens from violations of human rights (see *Silidian v France 2005*²). To protect its citizens from slavery the UK Government implemented the Modern Slavery Act 2015:

“An act to make provision about slavery, servitude, forced or compulsory labour and about human trafficking, including provisions for the protection of victims; to make provision for an Independent Anti-Slavery Commissioner; and for connected purposes.”

Sections 1 and 2 of the Modern Slavery Act 2015, which are detailed later, specify offences relating to slavery, servitude and forced or compulsory labour and human trafficking. The Modern Slavery Act 2015 referred to in this paper is the one that applies to England and Wales. However, similar legislation exists in Scotland³ and Northern Ireland⁴. Therefore, all the UK is covered by modern slavery legislation (Cooper et al 2017).

The International Labour Organisation (ILO) was formed to help promote social justice following the Treaty of Versailles in 1919 and it became a United Nations (UN) special agency in 1946. The ILO obliges member state Governments, including the UK, to suppress any form of forced labour through legislation such as that implemented by the Modern Slavery Act 2015. Such a requirement of member states was underpinned by the

² “A 15-year-old girl was brought to France from Togo by ‘Mrs D’, who paid for her journey but then confiscated her passport. The girl (worked) for Mrs D to pay back her fare, but after a few months she was ‘lent’ to another couple. They forced her to work 15 hours a day, seven days a week with no pay... The girl wore second-hand clothes and did not have her own room. The authorities intervened, but slavery and servitude were not a criminal offence in France. The European Court of Human Rights held that the girl had been kept in servitude and that France had failed in its article 4 obligations because French law had not given the girl specific and effective protection.” (EHRC 2016).

³ “The Human Trafficking and Exploitation Act (Scotland) 2015” (Cooper et al 2017, p.2).

⁴ “The Human Trafficking and Exploitation Act (Scotland) 2015” (Cooper et al 2017, p.2).

'Protocol to the Forced Labour Convention 1930' adopted by the ILOrg. in June 2014 (OU 2016).

THB, which is legislated for in section 2 of the Modern Slavery Act 2015, is the trafficking in human beings between or within states for the purpose of exploitation. That exploitation includes exploitation for sex, working in sweatshops, domestic labour, working in agriculture, mining, factory work, fishing, forced marriage, organ transplants, camel jockeys, adoption or begging (OU 2016).

The 'Palermo Protocol' is the main international instrument obliging states to criminalise THB. Article 3 of that protocol defines THB as:

"...the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs." (OU 2016).

The National Crime Agency (NCA), National Referral Mechanism (NRM) supported victims of human trafficking and modern slavery in the UK. It took referrals from English, Welsh, Scottish and Northern Irish police (NCA 2018). Following a review commissioned by the Home Secretary in 2014 (Great Britain, Home Office 2014), responsibility for the NRM was transferred to the Home Office on 29th April 2019 (NCA 2019). During 2018, 6993 victims were referred to the NRM. Of those, 3856 were adults and 3137 children. 1289 adults and 638 children were the subject of sexual exploitation, 1993 adults and 1987 children were the subject of labour exploitation and 419 adults and 96 children were subjected to domestic servitude. It is not known what 153 adults and 412 children were going to be exploited for as intervention took place as they were being trafficked and before they were exploited. Another 2 adults and 4 children were exploited for organ harvesting (NCA 2019a). These figures throw some light on the extent of the modern slavery problem impacting on the UK.

However, these and other figures are believed to underestimate the true number of victims (Bales, Edwards and Silverman 2018).

Although published figures are known to underestimate the scale of the problem of modern slavery impacting on the UK, forced labour appears to account for a substantial amount of the exploitation experienced by those trafficked into the UK (NCA 2018). Forced labour, includes bonded labour to pay off a debt or labour imposed to make profits for businesses. It is defined by the ILOrg. Forced Labour Convention (No 29) 1930 as:

“All work or service which is exacted from any person under the menace of penalty and for which the said person has not offered himself voluntarily.” (OU 2016).

Within the UK, under the Modern Slavery Act 2015 section 3(2), *“slavery, servitude and forced or compulsory labour is where any person is the victim of behaviour:*

- (a) which involves the commission of an offence under section 1, or*
- (b) which would involve the commission of an offence under that section if it took place in England and Wales.*

Under section 1(1) a person commits an offence if:

- (a) the person holds another person in slavery or servitude and the circumstances are such that the person knows or ought to know that the other person is held in slavery or servitude, or*
- (b) the person requires another person to perform forced or compulsory labour and the circumstances are such that the person knows or ought to know that the other person is being required to perform forced or compulsory labour.*

(2) In subsection (1) the references to holding a person in slavery or servitude or requiring a person to perform forced or compulsory labour are to be construed in accordance with Article 4 of the Human Rights Convention.

(3) In determining whether a person is being held in slavery or servitude or required to perform forced or compulsory labour, regard may be had to all the circumstances.

(4) For example, regard may be had:

- (a) *to any of the person's personal circumstances (such as the person being a child, the person's family relationships, and any mental or physical illness) which may make the person more vulnerable than other persons;*
 - (b) *to any work or services provided by the person, including work or services provided in circumstances which constitute exploitation within section 3(3) to (6).*
- (5) The consent of a person (whether an adult or a child) to any of the acts alleged to constitute holding the person in slavery or servitude, or requiring the person to perform forced or compulsory labour, does not preclude a determination that the person is being held in slavery or servitude, or required to perform forced or compulsory labour".*

Section 2 of the Modern Slavery Act 2015 makes separate provision for THB to deal with offenders who THB prior to any Section 1 offences taking place:

"Section 2 Human trafficking

(1) A person commits an offence if the person arranges or facilitates the travel of another person ("V") with a view to V being exploited.

(2) It is irrelevant whether V consents to the travel (whether V is an adult or a child).

(3) A person may in particular arrange or facilitate V's travel by recruiting V, transporting or transferring V, harbouring or receiving V, or transferring or exchanging control over V.

(4) A person arranges or facilitates V's travel with a view to V being exploited only

If:

(a) the person intends to exploit V (in any part of the world) during or after the travel,
or

(b) the person knows or ought to know that another person is likely to exploit V (in any part of the world) during or after the travel.

(5) "Travel" means:

(a) arriving in, or entering, any country,

(b) departing from any country,

(c) travelling within any country.

(6) A person who is a UK national commits an offence under this section regardless of—

(a) where the arranging or facilitating takes place, or

(b) where the travel takes place.

(7) A person who is not a UK national commits an offence under this section if—

(a) any part of the arranging or facilitating takes place in the United Kingdom, or

(b) the travel consists of arrival in or entry into, departure from, or travel within, the United Kingdom”.

For an offence committed against section 1 or 2 of the Modern Slavery Act 2015, section 5 states that a person convicted on indictment is liable to imprisonment for life. As highlighted in the findings for the REA by Silverstone and Brickell (2017), the Act also provides a statutory defence available to victims of modern slavery who commit offences whilst being subjected to slavery:

“Section 45...introduces a statutory defence for victims of modern slavery. In relation to children, this provides that a child is not guilty of an offence if the child does that act as a direct consequence of having been a victim of slavery or relevant exploitation, and a reasonable person in the same situation as the child would act in the same way. For adults, a statutory defence is available for those who are coerced into forced criminality and satisfy the following criteria:

- the person is aged 18 or over when the person does the act which constitutes the offence,*
- the person does that act because the person is compelled to do it,*
- the compulsion is attributable to slavery or to relevant exploitation, and*
- a reasonable person in the same situation as the person and having the person’s relevant characteristics would have no realistic alternative to doing that act” (p.48).*

The Modern Slavery Act 2015 is considered an example of Piotrowicz's (2009) '*pragmatic solution*' to modern slavery impacting on the UK (OU 2016). It identifies those who are treated as modern slaves and trafficked for exploitation as victims of a crime and helps analyse what is happening nationally and transnationally (Piotrowicz 2009). In 2016, 51 persons were prosecuted under this act in England and Wales and in 2017 it rose to 130. It is promoted by the Home Office as '*world-leading*' and the world leading label is reinforced by Frank Field MP in the forward to a review of the Modern Slavery Act 2015. He commends the act for giving the police and other LEAs '*the tools to tackle modern slavery*', but he is concerned at the lack of prosecutions and use of prevention and risk orders (Great Britain, Home Office 2018a, p.3).

Frank Field, Baroness Elizabeth Butler-Sloss and Maria Miller MP who completed the review of the Modern Slavery Act 2015 sort to set up an implementation group to oversee implementation of the review and recommendations⁵. Along with the current Independent Anti-Slavery Commissioner IASC, Sara Thornton, they intend to, "*hold the Government to account on its commitment to eradicate modern slavery and human trafficking*" (Great Britain, Home Office 2019b, p.8). The review promotes the independence of the IASC and recommends greater transparency in the appointment of the IASC who should focus on advising the Government on local and national issues relating to modern slavery. They recommend the appointment of an envoy to deal with international modern slavery issues. The review also recommends mandatory reporting for companies to re-enforce their responsibilities in respect of 'modern slavery statements', which were found to be a tick box exercise for some; with no real commitment towards ensuring modern slavery is not taking place in company supply chains. The Government is also pushed to get its own house in order, with a recommendation that public organisations should also be mandated to produce 'modern slavery statements' (Great Britain, Home Office 2019b).

The review of the Modern Slavery Act 2015 also makes several other recommendations including that Section 48 of the Act should be commenced with Independent Child Trafficking Advisers (ICTA) being rolled out across the country to support trafficked children without parental responsibility. This should include regional ICTA co-ordinators to ensure an effective multi-agency response to children on a case by case need. With regards to

⁵ For updates please see 'How the Government is Tackling Modern Slavery' at: <https://homeofficemedia.blog.gov.uk/2019/05/22/how-the-government-is-tackling-modern-slavery/>

investigation and prosecution, there are guidelines to prioritise reparation orders requiring offenders to pay reparations to victims and for police and LEAs to ensure all available powers are used to seize suspects' assets. The police, other LEAs and prosecutors should fully investigate that people, who make use of the statutory defence to certain offences, are victims of modern slavery and were made to commit offences⁶. The NRM designation of victims is made on the 'balance of probabilities' and therefore, does not meet the 'beyond all reasonable doubt' standard required in criminal courts. In addition, the review recommends that the Government should publish guidance on new and emerging types of exploitation such as 'county lines', based on typology research explored as part of this REA (Cooper et al 2017, IRMSA 2019 and Great Britain, Home Office 2019b).

4.2 [Joint Investigation Teams \(JIT\)](#)

⁶ "Criminal exploitation and the Section 45 Defence Section 45 of the Act provides a statutory defence to victims who have committed a crime themselves. It does not extend to more serious offences such as rape or murder. Offences to which the Section 45 defence can be applied include drug dealing, cannabis cultivation, shoplifting, benefit fraud, pick-pocketing and begging. If a person raises the Section 45 defence officers must take steps to investigate" (MSPTU 2019, p.2).

The UK Government's Modern Slavery Strategy (2014)⁷ supports the investigation of transnational modern slavery using a JIT with partners from the UK and other European Union (EU) Law Enforcement and Judicial agencies. The strategy also makes specific mention of Europol and Eurojust as key partners in improving co-ordination of the investigation of modern slavery offences committed on a transnational basis (Great Britain, Home Office 2014). In August 2018 the UK was participating in 25 live JITs investigating THB (Great Britain, Home Office 2018).

Globalisation has improved the movement of goods and people between nation states to good effect. However, it has also provided opportunities to commit transnational organised crime (TNOC) (Lilley 2009). According to Jesenicnik and Razinger (2014, p7), who provided a guide to West Balkan states on JIT investigation of TNOC (prior to the European Union, Eurojust, Europol and OLAF (2017) JIT Experts' guide), JIT were introduced to '*assist and facilitate*' the investigation of transnational organised crime as an option for signatories of the Second Additional Protocol to the European Convention on Mutual Legal Assistance (MLA).

'A JIT is an investigation team set up for a fixed period, based on an agreement between two or more countries or other competent authorities, for the investigation of a specific criminal offence' (Jesenicnik and Razinger 2014, p9). The investigation should be carried out in one or more of the nation states that are a party to the JIT agreement (European Union 2017).

There is no specific requirement to set up JITs for transnational investigations involving the UK and other European nation states especially if other informal ways of working can achieve the same objective (ACPO 2012⁸). However, if the decision is to set up a JIT, there must be a need to investigate a specific transnational criminal activity (Jesenicnik and Razinger 2014).

In particular, a JIT should be established if there are requirements for '*difficult and demanding*' investigations with links with LEA from different countries and there is a necessity for '*co-ordinated and concerted actions*' in different nation states. Without

⁷ The Modern Slavery Strategy (2014) discussed in this document covers England and Wales, but there is a similar strategy in Scotland. The 2017 Scottish Trafficking and Exploitation Strategy (Cooper et al 2017).

⁸ ACPO (Association of Chief Police Officers) have now been re-organised and are known as the National Police Chiefs' Council (NPCC).

establishing a JIT, it would not be possible to investigate, prosecute and prevent such transnational crime (Jesenicnik and Razinger 2014, p9).

A transnational crime is one that affects more than one country (Reichel 2005) and a transnational investigation is included as part of Bowling and Sheptycki's (2012) definition of transnational policing. They define transnational policing as, "*Any form of order maintenance, law enforcement, peace keeping, crime investigation, intelligence sharing, or other form of policing that transcends on transverses national boundaries*" (p3). However, as confirmed in the European Union, Eurojust, Europol and OLAF (2017) practical guide on JITs, whilst the crime affects more than one country the actual criminal investigation need only be carried out in one of the nation states that is a party to the JIT. Even if only one of the parties to the JIT does the investigation and another supplies evidence or shares intelligence as part of that investigation, this still amounts to transnational policing for the purpose of understanding how policing works from a criminological point of view.

Policing includes the wide concept of social control. Policing and the function of the police has been the subject of wide research (Paterson and Pollock 2011). There are different levels of democracy within the various nation state police forces around the globe (Haberfield and Cerrah 2008). The police are the key to any nation state keeping control of and interacting with its citizens and that interaction takes many forms (Bowling and Sheptycki 2012). Generally, though, the police have the monopoly on the use of force within the state. In addition, they provide a social service and keep the peace (Reiner 1992).

The police who take part in transnational networks are usually part of a democratic state, they are not dictated to by the nation state and they do not separate themselves from the state, however, they do co-operate with police in other nation states. That co-operation relies on knowledge networks designed to prevent and detect transnational crime (Deflem 2002). It is driven by globalisation through increased interconnectedness facilitated using, what Levi (2007, p775) defines as, '*tools of late modernity*', such as improved travel and technology.

Whilst the EU and its police agency Europol does not have a monopoly over the legitimate use of force across its membership, (that remains firmly within the nation state police forces of the individual members) it does take increasing collaborative police action, particularly in relation to EU wide initiatives (Walker 2008). Establishing co-operation for the setting up of a

JIT is the responsibility of the nation state where the investigation is most prominent. Although it is not imperative, consideration should be given as to whether those working on the JIT should be based in the country of predominant investigation. Working locations should depend on the needs of the investigation. A JIT can work quite effectively with members working permanently in their own country, but there are likely to be periods when staff work temporarily in another nation state who are a party to the JIT (Jesenicnik and Razinger 2014).

One difficulty in setting up a JIT is the language difference between nation states (Horvartits and de Buck 2007). Therefore, consideration should be given to including translators on the JIT at an early stage. A JIT also requires a clear leader. In some nation states the lead tends to be a public prosecutor. In some cases, as well as an overall leader, there are team leaders in each of the nation states involved. Whatever the case, the leadership and team set up should be agreed before defining the JIT agreement (European Union 2017).

The formal agreement between the two or more nation states involved in any JIT requires the signatures of all the competent authorities involved. The agreement should include elements of the international agreement that is determined i.e.:

- The legal basis for the JIT.
- Parties to the agreement (which, according to Block (2012) can include Europol and Eurojust).
- Purpose of the JIT.
- Period covered by the agreement.
- Location(s) in which the JIT will operate.

In addition, based on best practice, the agreement should include:

- An operational plan.
- Method of communication between the teams.
- JIT leader(s).

- JIT members and their roles and competencies.
- Provision for any second members.
- Evidence acquiring methods.
- Information and evidence exchange and application rules.
- Method of using and disposing of the collected information and evidence.
- Conflict resolution.
- Any special conditions.
- Provisions for internal evaluation as the investigation progresses (Jesenicnik and Razinger 2014, p12-13)

There are a variety of methods for requesting the setting up of a JIT, depending on the policy of the nation state involved. This ranges from an ILOR to a direct request (Jesenicnik and Razinger 2014). ILOR in the UK are prepared by the Crown Prosecution Service (CPS) (CoP 2018). JITs are not permanent. They are set up for a set period to investigate a specific criminal offence. The specific crime should be clearly stated in the agreement and all the JIT must have the same aim and objectives towards dealing with the specific crime (Jesenicnik and Razinger 2014).

Europol can provide support to JITs but cannot take part in coercive action. That support amounts to facilitating access to information, providing a picture of international crime, arranging operational meetings, providing analytical and technical support, search advice and assisting in the administration of JITs (de Buck 2007). According to the Europol website JITs are, “*well established and an efficient, effective tool for tackling cross border crime*”. This is done through, “*co-ordination of investigations and prosecutions conducted in parallel across several nation states*”. As already alluded to, JITs vary based on a case by case need. They are currently based on the ‘*Model JIT Agreement*’ appended to the Council of European Union (EU) resolution on a model agreement for setting up a JIT (European Union 2017, Europol 2018).

Europol, Eurojust and the European Anti-fraud Office (OLAF) fully support the use of JITs, despite the difficulties of operating in 29 different legal systems speaking at least 23 official languages (Horvatits and de Buck 2007). To support JITs those organisations formed a

network of national experts on JITs in 2005 and that network have produced an up to date practical guide on JITs (European Union 2017, Europol 2018).

The secretariat of the Network of National Experts on JITs is hosted by Eurojust and the network is composed of experts from each EU member state. Experts include representatives from both the judiciary and LEAs (EU 2017). According to their guidance:

- *“JIT enable the direct gathering and exchange of information and evidence without the need to use traditional channels of mutual legal assistance (MLA).”*
- *Second members of the JIT (i.e. those originating from a state other than the one in which the JIT operates) are entitled to be present and to take part – within the limits foreseen by national legislation and/or specified by the JIT leader – in investigative measures conducted outside their state of origin.”*

There are several legal frameworks that enable the setting up of a JIT between EU member states and nation states outside the EU, such as the USA (European Union 2017, p4).

The existing legal frameworks pertinent to EU nation states working together in a JIT are Article 13 of the 2000 EU MLA Convention and the 2002 Framework Decision on JIT. All member states have implemented one or both frameworks, which describe two situations when JIT can be established i.e.:

1. *‘Demanding cross border investigations’*, where members states’ investigations into criminal offences require difficult and demanding investigations having links with other member states.
2. *‘Connected investigations requiring co-ordination’*, where a number of member states are conducting investigations into criminal offences in which the circumstances of the case necessitate co-ordinated, concerted action in the member states involved (European Union 2017, p6).

Europol and Eurojust play a key role in JIT creation by advising on the wider international aspects of the case under investigation. They also advise on practicalities and clarify

individual member state requirements for requesting the setting up of a JIT and facilitate operational planning meetings as it is important for JITs to plan and co-ordinate investigations and any subsequent or parallel court proceedings. It is not imperative that Europol and Eurojust are involved but, Eurojust's national representative in each nation state involved in any JIT must be informed of the JIT (European Union 2017).

It is imperative that any investigations by JITs are in accordance with national legislation of each nation state involved. This includes sharing and exchange of information and evidence. However, the JIT allows investigators to operate in each of the nation states who are a party to the JIT. This must be under the direction of the JIT leader, with the consent of the state where the investigations are taking place and the state having seconded them (European Union 2017).

JITs are set up for a limited period and they can be extended if there is a need to do so, provided the extension is arranged in a timely manner. Once a JIT investigation is completed a joint evaluation by the JIT parties is required, especially where it has received financial support from Eurojust (European Union 2017).

The assertion in some of the literature is that Europol remains an information exchange and an administrative support function, rather an organisation that shapes transnational policing and takes an active part in it (Severns 2015). However, current evidence suggests Europol and Eurojust have moved on in the setting up and running of JITs and are much more involved in making transnational policing work. That is confirmed by Anna Bradshaw who has worked for the Law Society on Brexit (Lewis 2019).

Anna Bradshaw does not specifically mention JITs or the recent International JIT (International Agreements) (EU Exit) Order 2019 (National Archives 2019), which appears to be promoted as a positive way forward by the Modern Slavery Police Transformation Unit (MSPTU) (2019)⁹. However, she does raise concern by stating that if the UK leaves the EU without a deal, any useful agreements on working with Europol and Eurojust and the ability to work with EU countries to investigate transnational crime will cease without any

⁹ MSPTU (2019, p.39) states that, "... with an eye to the possibility of a no deal departure from the EU, the basis of ... JITs has been renegotiated. The International Joint Investigation Teams (International Agreements) (EU Exit) Order 2019 came into force on the 29 March 2019. This provides a further legal basis for establishing JITs outside the EU tools and is not dependent on Brexit outcomes."

contingency (Lewis 2019)¹⁰. Hopefully the transition period now in place until the end of 2020 will lead to an agreement for continued access by the UK to JITs and other European investigative initiatives such as the Schengen II crime and intelligence data base, but that is by no means certain (Mason 2020).

Without a deal, access to Europol and Eurojust including access to EU databases for exchanging information on crime and criminals will cease immediately, it will have to be renegotiated and will be limited. Such renegotiating will involve a series of bi-lateral agreements with individual countries, which will disrupt and slow down any processes, even if agreements can be reached. Even if the UK leaves the EU with a deal, access to Europol and Eurojust and the ability for the UK to take part in transnational investigation with EU countries will still need to be negotiated. Again, re-negotiated access is likely to be limited, but there will be a transitional period to complete the negotiation (Lewis 2019). The impact of Brexit has been considered as part of researching *Operation Doubrava*; especially how such investigations might progress in future in light of the International JIT (International Agreements) (EU Exit) Order 2019 and the apparent optimistic view of the order by the MSPTU (2019) weighed against the pessimistic view of transnational investigation work put forward by Lewis (2019).

Previous research by Severns (2015) suggested that one of the drivers behind how Europol prioritised and shaped their firearms investigations, was the work of the European Firearms Expert Group (EFEG). There is also a group of National Experts on JITs. That group, known as the JIT Experts, was formed in 2005 to promote the use of JITs and received in-direct legal recognition through the EU Council Decision 2009/426/JHA of 16 December 2008 on the strengthening of Eurojust (European Union 2017, JITs Network 2017 and 2018).

¹⁰ "The EU and the UK have a mutual interest in maintaining strong cooperation in the fields of security (police) and criminal justice. However, as of Brexit day... the UK will become a third country vis-à-vis the EU. To ensure strong criminal justice and police cooperation after Brexit, the EU and the UK need to develop a legal framework that meets the reciprocal demands of maintaining an effective relationship to fight cross-border crime, which at the same time is principled (value-based) and compliant with rule of law and fundamental rights standards" (CEPS & QMUL 2018, p. iii). Subject to when and if a deal is made, "Eurojust seems well equipped to assist Member States and third countries, including in the future the UK, in the choice of the appropriate legal basis/bases for JITs. At least with regard to JITs, Brexit should not have any dramatic consequence, as there are already other legal instruments facilitating the establishment of JITs between the UK and EU Member States, or at least the majority of them. Nonetheless, the UK could lose its leading role in the field and this may have negative repercussions for common security in Europe" (CEPS & QMUL 2018, p. 109). If there is no deal, "The UK will no longer be able to initiate or participate in JITs set up in support of cross-border police investigations under EU instruments after exit day" (The Law Society 2019).

The JIT Network has a dedicated secretariat within Eurojust, and they meet annually to review their work. They met on 6th and 7th June 2018 for the fourteenth annual meeting and again on 5th and 6th June 2019 for the fifteenth meeting (JITs Network 2018, Eurojust 2018 and 2019). The JITs Network (2017) conclusions from the thirteenth meeting on 17th and 18th May 2017 discussed the differing complexities involved in including nation states from outside the EU in an EU JIT, such as the USA and Switzerland. However, they found the EU model was flexible enough to accommodate differing situations and there is a push for more third country JITs (JITs Network 2017). The fact EU JITs appear to work effectively with nation states outside the EU is one area that needs researching from a UK point of view as it will become a third country outside the EU in the event of Brexit (Great Britain, Parliament, Houses of Lords and Commons 2016, CEPS and QMUL 2018, MSPTU 2019, Lewis 2019). ([See recommendation 10](#)).¹¹

According to a task force from the Centre of European Policy Studies (CEPS) and the School of Law at Queen Mary University of London (QMUL), *“Respect for the benchmarks set forth in EU primary law and in the European Convention on Human Rights (ECHR) represents an essential precondition to maintain trust and sustain EU-UK cooperation after Brexit”* (CEPS and QMUL 2018, p.iii). With that in mind, the UK Government has sought to agree continued co-operation with the EU which includes continued use of JITs. It is also likely to seek ad hoc agreements with Europol and Eurojust, which could ensure some continued funding for JITs from Eurojust. Such monetary and other facilitation supplied by Europol and Eurojust for JITs has been valued by UK participants in more recent times. In fact, evidence found by the CEPS QMUL Task Force on such valued facilitation and recent use of JITs by UK LEAs is contrary to previous negative academic literature on JITs and the facilitation offered by Europol. However, as a third country, the UK would lose influence in JIT policy development and potentially loose access to Europol databases and the ability to lead Europol projects (CEPS and QMUL 2018).

The use of JITs increased from 3 in 2005 to the establishment of at least 69 new JITs in 2016 (JITs Network 2017). By 2017, the UK alone participated in 65 JITs and topped the Eurojust table. At least 20 of those JITs (instigated by UK LEAs) targeted human trafficking and slavery (CEPS and QMUL 2018). The JITs Network had a role to play in developing a

¹¹ For updates on JITs and JIT expert meetings please see Europol JITs at: <https://www.europol.europa.eu/activities-services/joint-investigation-teams> For updates Brexit JIT and other policing developments please see NCA news at: <https://www.nationalcrimeagency.gov.uk/news> and <https://www.nationalcrimeagency.gov.uk/news/nca-statement-on-contingency-planning-in-relation-to-uk-withdrawal-from-the-european-union>

large proportion of those JITs; particularly in the setting-up process (JITs Network 2017). They also recognised the importance of Europol and Eurojust facilitation and co-ordination of JITs in leading to their increased use (JITs Network 2018). However, more trust building, training and awareness raising by all concerned is required to enhance and increase the use of JITs. In addition, JIT experts felt they should be more involved in JIT evaluation meetings, involved in the analysis of where JITs were considered but not used, more visible in general and that updates between themselves, Europol and Eurojust should be enhanced (JITs Network 2017 and 2018).

In 2018 the JIT network of experts produced an overall evaluation of JIT evaluations that had been completed between April 2014 and October 2017 and this was complimented by Eurojust's own findings. It was found that there was no uniform practice among EU states about whether a domestic investigation should be started as a prerequisite to being part of a JITs. The key challenges in setting up a JIT included parameter setting, lack of clarity in domestic rules on appointing JIT leaders, difficulty in identifying JIT partners, whether partners were willing or their participation was feasible, adjusting strategy to accommodate new JIT partners and the length of time it takes to complete the signature procedure (Eurojust 2018a).

However, the challenges were compensated by best practice. This included the work of liaison staff posted in EU and third countries to establish early contact on JITs and inclusion of the following clauses as part of the JIT set up, which are now part of the previously identified '*Model JIT Agreement*':

- *Allowing the sharing of information obtained via MLA, with other JIT parties.*
- *Allowing the sharing of information obtained before the JIT was established.*
- *Foreseeing an evaluation meeting* (Eurojust 2018a, p.5).

Other best practice was also identified in the setting up of JITs in respect of the inclusion of domestic disclosure requirements in the JIT agreement (Eurojust 2018a). Such a consideration is important in the UK (and undoubtedly in other EU and third countries) where cases stand or fall on disclosure issues (Ephgrave 2018). In addition, the spontaneous exchange of information during co-ordination meetings is seen as, "*a valuable alternative to*

the participation of a specific State in a JIT” and clear parameter setting, with lists of targets indexed to their modus operandi (MO) and domestic numbering should assist in clarity (Eurojust 2018a, p.5).

The 2018 JITs evaluation found that during the operational phase of a JIT it is important to have a secure single place to facilitate auditable electronic exchange information and evidence. Jurisdictional issues need to be anticipated and be part of an ongoing discussion reflecting the setup of the OCG under investigation by the JIT. There is flexibility within JIT procedures to respond to any jurisdictional developments. Flexibility of the JIT also allows the use of seconded members to the team to provide additional help with arrest and search phases as well as *‘major international incidents’* (Eurojust 2018a, p.6).

Difficulties can arise in respect of sharing information with states which are not part of the JIT and there are difficulties with continued co-operation after the JIT is closed. However, best practice has been identified in other areas such as having a common language agreement, financial support for translation and deployment of officers with knowledge of relevant languages to help overcome difficulties with translation. In addition, the JIT has been used to enable informal exchanges on areas such as jurisdiction and disclosure, JITs have been extended to cover profit confiscation after any trial has been concluded, MLA with non-JIT partners has been coordinated by the JIT, strategy has been implemented to coordinate protection of victims by all parties to the JIT, dynamic decision making has taken place in relation to live operations, there has been good cooperation with the private sector in cybercrime investigation and cooperation during any prosecution has ensured victims are compensated (Eurojust 2018a).

Eurojust’s findings were similar to the findings drawn by the JIT network of experts. Eurojust fully support the *‘Model Jit Agreement’* in setting up the JIT but make a point that there is a *‘fear of the unknown’* and *‘an assumption that JITs are only suitable for high profile cases’*. They also identify difficulties in setting up JITs caused by different operational priorities, differing stages of investigations, lack of investigation, multiple organisations carrying out *‘parallel investigations’* and differing authorisation procedures (Eurojust 2018a, p.6).

The JIT network of experts and Eurojust findings, being one of the most up to date findings on JITs, will be considered with the research findings at other points in this study. That will

assist in analysing the change that has taken place in the transnational investigation of modern slavery and what actually works.

4.3 [Current investigation of Modern Slavery](#)

The UK Government's Modern Slavery Strategy (2014) points to the main perpetrators of modern slavery as being organised crime groups (OCGs), but also includes individual opportunist criminals as being responsible for modern slavery offences. Adopting the counter-terrorism framework of Pursue, Prevent, Protect, Prepare, the Modern Slavery

Strategy emphasises the UK as working as part of an international collaboration to respond to modern slavery (Great Britain, Home Office 2014).

Modern slavery is a priority for the NCA which leads the UK LEA response to organised crime (Great Britain, Home Office 2014). They run a Modern Slavery and Human Trafficking Unit (MSHTU) responsible for a UK wide joined up intelligence led response to modern slavery and THB (MSPTU 2019). The NCA estimated that 200 UK linked OCGs are currently involved in modern slavery and the number of modern slavery and THB victims referred to the NRM continues to rise. The NCA also supports the use of JITs to investigate transnational modern slavery and is the lead UK LEA for Brexit planning to ensure continued effective partnership with EU on law enforcement¹² (Great Britain, Parliament, Houses of Lords and Commons 2016, NCA 2018a). As such the NCA are key to ensuring the continued use of JITs to investigate transnational modern slavery.

The Gangmasters and Labour Abuse Authority (GLAA), now part of the Home Office, also investigate modern slavery as part of its remit to investigate labour exploitation in the UK. The NCA and GLAA work in partnership with all other UK LEAs to investigate modern slavery. A key partner in such investigations, who take the lead in some transnational investigations of transnational modern slavery, are UK police forces. All the UK LEAs are supported and challenged by the IASC¹³ (Great Britain, Home Office 2014, Derbyshire Constabulary 2018, NCA 2018a).

International law enforcement co-operation, as part of the 'Pursue' element of the Modern Slavery Strategy is driven by the Government. They support JIT and co-operation through the NCA International Liaison Officer (ILO) Network. The Prevent element of the strategy is based on obtaining a full understanding of modern slavery and who is at risk. The Protect element focuses on victims, as does the Prepare element which introduced the Modern Slavery Act of 2015 (Great Britain, Home Office 2014).

In 2013, most labour exploitation victims (60%) originated from EU countries (Great Britain, Home Office 2014). This suggested a need for joint investigations of modern slavery with

¹² The NCA are working in close partnership with the National Police Chiefs' Council (NPCC) on Brexit planning (NCA 2018a).

¹³ Kevin Hyland was the first Anti-Slavery Commissioner in the UK and he was succeeded by the current commissioner, Sarah Thornton on 1st May 2019 (IASC 2019).

other EU LEAs using JITs. There will be a continued need for UK involvement in such JITs after Brexit (Europol 2015, Great Britain, Parliament, Houses of Lords and Commons 2016, NCA 2018a). In 2018, 6993 people were referred to the NRM claiming they had been exploited for domestic servitude, labour exploitation, organ harvesting, sexual and other exploitation. 5368 of those were from countries other than the UK, many being trafficked from outside the UK and many from EU countries (NCA 2019a).

Funded by the Police Transformation Fund¹⁴, Devon and Cornwall Police are currently leading on a project to transform the policing of modern slavery at the strategic and operational level. The project, which was funded until 31st March 2020¹⁵ (MSPTU 2019), is based on recommendations made following a 2016 Home Office review of the 2015 Modern Slavery Act. It is also in line with the Government's Modern Slavery Strategy of 2014 and takes account of the report, 'A Modern Response to Modern Slavery' (Devon and Cornwall Police 2018). That report was produced by the Centre for Social Justice and finds that organised crime drives most of the modern slavery in Europe (Cunningham 2015). The Home Office review found that there was a lack of training on Modern Slavery for both police officers and prosecutors, the operational response to modern slavery was hampered by poor quality intelligence, there was a lack of a structured approach to investigating, prosecuting and preventing modern slavery, including a lack of understanding of what works, and victims were not being offered vulnerable witness protection available to them during the investigation and court process (Haughey 2016).

The Devon and Cornwall police project on transforming the policing of modern slavery delivers a collaborative LEA programme to respond to modern slavery and support all 43 police forces in England and Wales to transform the response¹⁶. It consists of a network of 70 staff from 18 LEAs working at various locations in England and Wales and at Europol known as the Modern Slavery Police Transformation Unit (MSPTU). The staff consist of a central functions team, insight team and 'What Works' team based in Devon and Cornwall, regional coordinators and analysts based at the nine police regional organised crime units and with the Metropolitan Police Service (MPS) in London, a Joint Slavery and Traffic

¹⁴ Police transformation funding is awarded by the Home Office to transform the police service for the future (Great Britain, Home Office 2016).

¹⁵ For updates on the project and the Modern Slavery Police Transformation Unit (MSPTU) please see: <https://policingslavery.co.uk/policing-modern-slavery/#>

Analysis Centre (JSTAC) which has offices in London, the West Midlands and the North West of the UK, and a Europol Team based in the Hague (MSPTU 2018).

Existing police co-ordination of the response to modern slavery, alongside the NCA MSHTU, is the responsibility of National Police Chiefs' Council (NPCC) National Modern Slavery Threat Group (NMSTG) which is chaired by Shaun Sawyer, the Chief Constable of Devon and Cornwall Police. Mr Sawyer is also the NPCC lead for modern slavery and organised immigration crime. The number of police led modern slavery operations increased from 188 in December 2016 to 568 in February 2018 and 1370 in April 2019¹⁷. The NMSTG includes several working groups, including the operational co-ordination group, which includes representatives from the Police regions, the NCA, the GLAA, the Border Force, Immigration Investigation and Her Majesty's Revenue and Customs (HMRC). All organisations which actively contribute towards investigating and preventing modern slavery (MSPTU 2018, MSPTU 2019).

During the first 12 months of operation from April 2017, the MSPTU focused on developing an understanding of the threat and improving the consistency of the response to the threat from modern slavery. In developing that knowledge and improving consistency the MSPTU worked in partnership with Police and Crime Commissioners (PCCs). The PCC national lead on modern slavery via the National Association of Police and Crime Commissioners (APCC) is Mark Burns-Williamson the PCC for West Yorkshire (MSPTU 2018). PCCs have facilitated support for investigation and prevention of modern slavery in the areas of initial language interpretation, training of social workers and accreditation of businesses verifying supply chains are modern slavery free (MSPTU 2019).

Knowledge of the modern slavery threat and the response to it was developed further up to March 2019 and moving forward, the intention is to enhance prevention of modern slavery, enhance intelligence development and intervention, improve investigations, increase efforts to protect children and make the response to modern slavery and its development

¹⁷ "Key figures Police referrals into NRM: ■ 2017: 1384 ■ 2018: 2084 Police force live operations: ■ Nov 2016: 188 ■ April 2019: 1370 ■ 629% increase over life of Programme Guidance materials: ■ 25 guidance products published ■ 150+ intelligence briefs and assessments ■ Initial actions advice for frontline policing Comprehensive training: ■ Awareness roadshows reached 900 frontline leaders ■ 750 specialist investigators trained ■ 575 specialist interviewers received CPD ■ 490 senior investigators received CPD ■ 850 analysts received CPD ■ 110 OPCC staff attended workshop events Wider partnership building: ■ Engagement with charities, NGOs and antislavery partnerships locally ■ First national partnership conferences supported with more than 350 attendees ■ Close to 100 local partnership initiatives funded with support of PCCs" (MSPTU 2019, p. 7).

sustainable (MSPTU 2019, p.9). Sustainability at the transnational investigation and intelligence gathering level will of course be subject to the impact of Brexit (Lewis 2019).

The MSPTU, via its network of staff across England and Wales and at Europol, improved the collection and dissemination of intelligence to better understand modern slavery crimes. The 'What Works' team, in liaison with the CoP, have developed and delivered training and awareness raising events for police. Regional co-ordinators have pulled together a better response by local police forces and PCCs and an NRM triage team has contributed to improved support and safeguarding for victims in liaison with a Home Office NRM reform programme (MSPTU 2018). The networking has continued to improve understanding of modern slavery and how it is cross cuts other areas of policing that are the subject of NPCC and APCC portfolios, such as 'county lines' investigations coordinated by the NPCC/NCA Coordination Centre (MSPTU 2019). Exploitation of children as modern slaves dealing drugs through 'county lines' is included in the REA following a successful 'county lines' modern slavery conviction (CPS 2018). Such understanding of cross cutting issues has been enhanced by regional MSPTU co-ordinators and analysts being embedded with the 10 Regional Organised Crime Units (ROCU) (MSPTU 2019). ROCUs pull together a range of police and other LEA specialists to provide a UK regional response to organised crime (HMICFRS 2019).

The MSTPU Europol team, consisting of a Seconded National Expert (SNE) and a researcher supported by staff, initially enhanced transnational investigations of modern slavery through:

- *'Published guidance and good practice advice for UK LEAs, supporting investigators to access international law enforcement cooperation.*
- *A regional coordination network actively signposting and supporting forces to access Europol and Eurojust Services.*
- *Increased access for Forces to Europol's SIENA system through the regional analysts' network.*
- *Video masterclasses that support investigations in accessing Europol services.*
- *Europol inputs to training courses, awareness raising activity and roadshows'* (MSPTU 2018, p10).

The SNE is based within project Phoenix at Europol, which is the dedicated team to support investigations into modern slavery and THB and the analyst is based in the Europol National Unit–UK (ENU-UK) (MSPTU 2018). ENU-UK is part of the NCA's International Department (Europol 2018a). Resources based at Europol have been enhanced over the period of the transformation project. Those resources have developed guidance for transnational investigations, supported police/NGO victim support partnerships in Vietnam, Poland and Romania, improved the intelligence flow and developed an increase use of JITs. The MSPTU highlight *Operation Doubrava* as a case study to support the improvements they have made, which supports the need to research how and why it worked (MSPTU 2019).

As it is the most up to date report on the UK policing of modern slavery, the MSPTU (2019) report will, as with the JIT network of experts' report (Eurojust 2018a), be considered together with the findings of this study. In considering change since the introduction of the Modern Slavery Act 2015, the MSPTU acknowledge that whilst police understanding of modern slavery and the investigation of modern slavery offences has developed, it is still limited when compared with the investigation of other priority organised crimes. The MSPTU 'what works' team have debriefed 40 modern slavery investigations to establish best practice. This has enabled the production of learning materials which have been used to train police officers and provide an overall "*more informed picture*" of the problem of modern slavery and how to respond to it for the police and their partners. (MSPTU 2019, p.24). The MSPTU (2019) appears to be embedding specialist knowledge and awareness of modern slavery as part of day to day policing in the UK. It has also raised awareness of opportunities for transnational investigation. This has only amounted to a one-day conference attended by 80 persons, but several specialist investigation courses on investigating modern slavery have also been delivered. In addition, the MSPTU has supported a joint CPS/MPS events providing prosecutors and police and other LEA investigators with information on the use of JITs.

In addition to Government and LEA action to transform the investigation of modern slavery, the University of Nottingham have reviewed UK research on modern slavery in 2017 and found that overall, there is a significant evidence base to better understand and respond to modern slavery. Evidence exists of the potential number of victims, where modern slavery exists in business supply chains, where modern slavery intersects with society, what makes

people vulnerable to slavery, best practice responses to modern slavery and some theoretical underpinning. However, further research is required on:

- Improving estimates on the number of people in modern slavery.
- Understanding more about the risks and vulnerability to modern slavery in the UK.
- Increased understanding of experiences of modern slavery among different groups.
- Increased understanding of the impact of modern slavery on different groups.
- Further monitoring and evaluating of LEA and support services, including how victims are re-integrated.
- The impact of international interventions in victims' countries of origin.
- Recruitment, trafficking and exploitation methods.
- The business response to the Modern Slavery Act 2015 (Bales, Hedward and Silverman 2018, p4).

The REA of completed research into the transnational investigation of modern slavery to establish what works, followed by research of what worked with *Operation Doubrava* (and how that worked), contributes to further knowledge on modern slavery and the response to it. It also contributes further evidence on the experience of modern slavery among different groups, the response to modern slavery by LEAs and partners to investigate transnational organised modern slavery and reintegrate victims, the understanding of recruitment, trafficking and exploitation methods and what can be done by business to prevent opportunities for exploitation. In turn this all contributes to a wider understanding of the police response to TNOC and the theoretical argument on Bowling and Sheptycki's (2012) Global Policing.

5. [Methodology](#)

This study is based on a review of existing research evidence on the investigation of modern slavery in the UK and grounded theory semi-structured participant interview research relating to a UK/Latvian police operation to investigate a modern slavery OCG (*Operation Doubrava*). The latter is underpinned by evidence from Open Source Intelligence (OSINT) and Nodal Network analysis.

The review of the evidence to establish what works in respect of the transnational investigation of modern slavery comprises of a Rapid Evidence Assessment (REA) of research on the transnational investigation of modern slavery from 2000 to the present day. An overall adapted grounded theory approach has been undertaken and that includes analysis of semi-structured interviews with police participants in *Operation Doubrava* as well as OSINT (where data is gathered and analysed from a variety of open sources, including the media, social networks and police and government documents published on the internet) and Nodal Network analysis (where different nodes in a network are analysed to determine how they influence the network and how they link together). This methodology is tried and tested and has been used previously by Severns (2015) to investigate the transnational firearms intelligence network. Therefore, Severns' (2015) resulting thesis has been used as a blueprint for the construction of this study¹⁸.

The aim of the REA was, "To evaluate how effective JITs, and other similar interventions, have been at safeguarding victims and investigating and disrupting transnational organised modern slavery impacting on the UK?"

The results of the REA of academic research, inspections and reviews have been analysed together with the findings from the research on *Operation Doubrava* to draw conclusions on what works in respect of the transnational investigation of modern slavery, and what might work in the future. *Operation Doubrava* took place between 2017 and 2019 and involved the establishment of a Joint Investigation Team (JIT) which brought together Derbyshire and Latvia Police and was facilitated by the NCA, Europol and Eurojust. The REA represented phase one of the review of the *Operation Doubrava* JIT by Sheffield Hallam University (SHU) in partnership with Derbyshire Constabulary. Analysis was undertaken of academic and policy-oriented evaluation literature which assesses how JITs are used to investigate modern slavery.

REAs synthesise evaluation research, on different or similar interventions, to extract evidence to support the development of evidence-based policy. It is argued that there should be a rigorous analysis of evaluation research to ensure all external and internal effects on any intervention are accounted for (Pawson and Tilley 1994). While evaluation research

¹⁸ This will enable future comparisons which will begin to draw generalisations on transnational policing (see Severns, Paterson and Brogan 2020a).

should be rigorous, the evaluation of that research should not become a debate about whether one method of research design is better than another. The objective of assessing evaluation research is to provide policy makers with accurate and timely evidence about how and why something works (Bennett 1996).

REAs cover a wide range of literature in a short space of time and produce synthesised evidence to inform new interventions (Civil Service 2010). While some useful research can be missed due to the restrictions imposed by search techniques (Perry et al 2009), the increasing amount of research recorded on the internet significantly reduces the risk (Cornish and Clarke 2002). To fully understand the interventions, evidence of predominantly qualitative data was sought for the REA, although this was supplemented by statistics on the number of JITs that each EU country has engaged in. A management system based on the principles of the Home Office Large Major Enquiry System (HOLMES) was used to process the qualitative data obtained for the REA. Such evidence was gathered using a time specific inclusion/exclusion search of the internet.

Qualitative research identifies the 'who, what, why, where, when and how' of the intervention (Harfield 2009, Losel 2008). Wide access to the participants involved in organised modern slavery and those who police it can be difficult and limited. This is accepted by academics who specialise in researching organised crime (Cornish and Clarke 2002) and those who specialise in researching intelligence gathering methods (Best and Cumming 2007, Robert 2008, Bean 2007 and 2011, Tekir 2009, Rollins 2010). REA, like OSINT, provides one potential solution to this challenge, where evidence is gathered and analysed from a variety of publicly available research to provide an answer to a new question.

Internet searches were carried out for this REA using 'Google Chrome' and 'Google Scholar' alongside Sheffield Hallam University's (SHU) library database. With the inclusion of official inspections and reviews, 45 papers were identified for more detailed purposive sampling to ensure a focus on transnational investigation of modern slavery involving UK police and LEAs. Further purposive sampling resulted in the identification of nine papers for inclusion in the REA. The nine papers identified for the REA enable an analysis to be carried out to answer the central question. These papers were considered, in the final analysis, with two up to date practitioner reports by the JIT network of experts (Eurojust 2018a) the Modern Slavery Police Transformation Unit (MSPTU 2019), thus providing as up to date a picture of modern slavery investigations in the UK.

The papers subject to the REA and analysed alongside the *Second JIT Evaluation Report* (Eurojust 2018a) and *Modern Slavery Police Transformation: Programme Annual Report to 31 March 2018* (MSTPU 2019) were:

'Stopping Traffic: Exploring the extent of, and responses to, trafficking in women for sexual exploitation in the UK.' (Kelly and Regan 2000).

'Regulation and enforcement to tackle forced labour in the UK: A systematic response.' (Balch 2012).

'In the Dock: Examining the UK's Criminal Justice Response to Trafficking.' (Annison 2013).

'North-South Irish Responses to transnational Organised Crime: research Report and findings.' (Obokata et al 2014).

'Combating modern slavery experienced by Vietnamese nationals en route to, and within, the UK.' (Silverstone and Brickell 2017).

'A Typology of Modern Slavery Offences in the UK.' (Cooper et al 2017).

'Stolen freedom: the policing response to modern slavery and human trafficking.' (HMICFRS 2017).

'Crown Prosecution Service (Delivering Justice): Modern Slavery Report.' (CPS 2018).

'Before the Harm is Done: Examining the UK's response to the prevention of trafficking.' (Serini and Baker 2018).

Each of the research papers chosen for the REA was graded using the Maryland Scale, an evidenced based tool, which indicates how robust the intervention evaluation methodology was; level 4 being the most robust and level 1 the least (Butler et al 2004, Appendix 10.2).

The key concepts that were expected to emerge out of the REA question were:

- Evaluating effectiveness through the theory of change.
- Investigative Intervention.
- Safeguarding of Victims.
- OCGs.
- Disruption of OCGs.

To answer the REA CRQ other purposive supplementary questions were set to draw out and synthesise evidence for analysis. These were based on the key concepts above:

- What was the expected theory of change and to what extent has it been achieved?
- What method of evaluation research was used (including Maryland Score)?
- What type of investigative intervention has been researched?
- How has the investigation safeguarded modern slavery victims?
- Which OCGs are involved?
- How has the investigation sought to disrupt the activity of OCGs?
- What other relevant themes, if any, have been drawn out from the research?

These questions form the basis of the findings in chapter 6.

The emphasis with REAs tends to be placed on quantitative research to measure outputs and outcomes to evidence the impact of the intervention; with some acknowledgement that qualitative methodology can add evidence of impact (Connell and Kubisch 1998). However,

it is also argued that equal emphasis can be placed on qualitative testing of the impact (Civil Service 2010), which can present a richer picture of what is happening and what works (Chamaz 2006, Shearing and Johnston 2010). Therefore, the emphasis of the REA in this case is on qualitative testing and the development of a narrative synthesis to answer the pre-set purposive supplementary questions (Butler et al 2004, Civil Service 2010).

As well as the REA, this study includes grounded theory analysis of the police view of *Operation Doubrava*. The REA and the adapted grounded theory analysis of *Operation Doubrava* provide evidence of what works in respect of the transnational investigation of modern slavery within a glocal policing context. This glocal context is captured in the semi-structured interview data which has been gathered from people who contributed to the *Operation Doubrava* investigation in England and Latvia. The data has subsequently been corroborated by using OSINT and nodal network analysis (Sugden and Tomlinson 1999, Chamaz 2006, Corbyn-Dwyer and Buckle 2009, Westmarland 2011). The research describes UK, Latvia and Europol procedures although the research was based in the UK and only UK and Latvia participants were accessible for face-to-face interviews. Therefore, the findings from the research must be viewed as findings from a UK and Latvia perspective. Similarly, the research focuses on one area of transnational policing (the use of a UK/Latvia JIT) and one crime problem (modern slavery).

As well as adding to the academic literature and making recommendations for practice, the findings could be used to develop further comparative research with other areas of transnational policing or the structure of JIT from the perspective of other nation states (Pakes 2004, Bryman 2008, Nelken 2012). For example, cross border comparisons of LEA co-operation in Europe have been made with LEA co-operation in the Australian and the Asia-Pacific regions by Hufnagel et al (2012). To avoid over generalisation, Hufnagel et al (2012) suggest further comparative research on cross border policing at all levels. This study represents such further research and includes some comparison with research on the transnational firearms intelligence network (Severns 2015). However, more research is required as there is a dearth of comparative research on transnational investigations, especially where this concerns practitioner viewpoints.

With access to current intelligence on organised crime and modern slavery being limited (Cornish and Clarke 2002), the research team decided to use adaptive grounded theory to gather evidence on how investigative teams seek to rescue victims and bring offenders to

justice. Grounded theory corresponds with one of the researcher's professional background as a former police detective skilled in gathering information to be used as evidence or intelligence. He and the other researchers have kept an open mind in gathering and analysing the research evidence, however, they do have prior knowledge of policing organised crime and associated theory and that prior knowledge makes the grounded theory adaptive (Chamaz 2006).

Qualitative data has been used in preference to quantitative data as it provides a rich picture of the dynamics (who, what, where, when, why and how) of *Operation Doubrava*, which is an important aspect of network analysis (Shearing and Johnston 2010). Reliable data is required to visualise criminal networks and disrupt them. That data can then be subjected to network analysis to highlight '*regular patterns about the structure, organization, operation and information flow in criminal networks*' (Xu and Hsinchun 2005, p102). This then allows the police to construct policing networks to disrupt organised criminals (Kenny 2008). Therefore, this study is subject to grounded theory and police network analysis; two methods which complement each other (Xu and Hsinchun 2005, Shearing and Johnston 2010).

Semi-structured interviews with participants, identified through purposive sampling, resulted in the gathering of reliable qualitative data on *Operation Doubrava* (Bryman 2008). The participants were credible, reliable, and knowledgeable sources. However, as they were limited in number, the grounded theory categories drawn from the interview data were saturated using qualitative data from OSINT. This enabled the researchers to construct a rich picture and ensure the validity and reliability of the study (Chamaz 2006).

Academics and others who research organised crime and the policing of organised crime, find it is difficult to access those who police and gather intelligence on organised crime (Cornish and Clarke 2002, Rollins 2010). Despite an initial reluctance within academia to use open source evidence for academic studies, OSINT has been found to be a solution to the limited access (Best and Cumming 2007, Robert 2008, Bean 2007 and 2011, Tekir 2009, Rollins 2010). To compliment the interview data from a small number of police practitioners, OSINT has been used as a source of further qualitative data on *Operation Doubrava* and the use of JITs. Intelligence is an important aspect of decision making (Ronn and Hoffding 2012) and valid and reliable OSINT data is viewed as an important tool for this study (Cornish and Clarke 2002, Bryman 2008).

The epistemology of the research team includes a breadth of critical knowledge and experience of researching policing and one of the team has first-hand experience of investigating organised crime and supervision of police officers investigating organised crime. As previously, in Severns (2015), that member of the team was '*part of the scene*' and can relate to their experiences of organised crime investigation. However, as they are no longer a police officer, they have been able to contribute towards a more critical investigative standpoint (Sugden and Tomlinson 1999).

Whilst the research team had knowledge of policing organised crime, they kept an open mind on the results of the research to enable the participants to tell their own story. In addition, and again as stated by Severns (2015) by citing Corbyn-Dwyer and Buckle (2009, p56), the research team:

'...leave it up to the reader to decide if ...insider status would improve or impede ... ability to carry out the study'.

Gravitating to the inside might suggest that this study led to the police research biased conclusion that the *Operation Doubrava* worked well, to negate the general independent police research bias conclusion that nothing works (Reiner 1992). However, according to Corbyn-Dwyer and Buckle (2009) such methods assist in producing a balanced conclusion to strive for knowledge sort by Reiner (1992) on what can be learnt from how police organisations operate. As previously evidenced in the transnational firearms intelligence network (Severns 2015), the research of *Operation Doubrava* and the overall study draws out the existence of positive aspects of police culture. There is a tendency for police culture to be portrayed as negative within the current literature (Heidenshon 2008). However, there is evidence of some positive police cultures having an impact on investigation. Strong investigative police team work ethics have been shown to lead to the sharing of knowledge and results, offences being detected, offenders being brought to justice and victims being supported (Glomseth, Gottschalk and Solli-Saether 2007).

The research has gathered qualitative rather than quantitative data on *Operation Doubrava*. It is set in the context of wider global policing issues, which enables a greater understanding of transnational policing. It sorts the policing wood from the trees (Reiner 1992).

The research design is cross sectional, which is a snapshot of what is happening at a specific point or small period in time (King and Wincup 2008); in this case 2017 to 2019. The research interviews, which led to the gathering of evidence from OSINT and the network analysis, were carried out in 2018/9. Cross sectional design was the most feasible research design due to the limited resources available.

It would have been desirable to compare *Operation Doubrava* with other similar operations (Pakes 2004) following Nelken's (2012) methodology to avoid ethnocentrism and relativism; that the UK view is shared by other nations or that it is not possible to understand the view of other nations. This would have been achieved by comparing the understanding of actors involved in similar operations elsewhere. However, this study has drawn out some of that wider understanding by using interview data from Latvian as well as UK personnel who were part of *Operation Doubrava*. The study is also still open to comparison with similar operations, provided the same overall methodology is followed using similarly positioned researchers in the space between the inside and the outside (Corbyn-Dwyer and Buckle 2009, Nelken 2012). It is already the subject of some comparison with Severns' (2015) study of the police transnational firearms intelligence network within this study and by Severns, Paterson and Brogan (2020a) in a study seeking a model for a glocal willing and able police.

Random sampling of police officers and staff on their knowledge and potential involvement in *Operation Doubrava* would have produced limited results for this study as *Operation Doubrava* involved a small core team with overall knowledge of the investigation. Research team knowledge and experience was used to provide access to UK participants in *Operation Doubrava*. This, in turn, led to access to Latvian police participants. Securing a sample from the police depends a lot on who you know and being a former insider (Noakes and Wincup 2004); one researcher knew who to approach and where to go to obtain the sample. This is the purposive sampling that was used to identify participants for the semi-structured interviews to gather qualitative data that has contributed to building a clear picture of how *Operation Doubrava* operated (Bryman 2008).

Such purposive sampling is non-probability sampling determined by the needs of the research. Using knowledge of the subject and the people involved is a useful aid to purposive sampling which identifies the best sources of qualitative data (Denscombe 2009).

Therefore, three UK and two Latvia based police participants at the core of *Operation Doubrava* were identified by the research team and they agreed to take part in semi-structured interviews.

Analysis of the interview data lead to purposive sampling of OSINT data in line with a grounded theory strategy of populating the themes drawn from the interviews with reliable data from elsewhere (Chamaz 2006). For example, the interview participants talked about maintaining sovereignty of policing. Therefore, further evidence of sovereignty was gathered from Severns (2015) research on the transnational police firearms intelligence network, backed up by evidence from Interpol (2014 – A10). This evidence ultimately contributed to the main theme of ‘Transnational Policing of Modern slavery as a TNOC’.

Semi-structured interviews allowed the participants to speak with more freedom as open questions were used to draw out the fullest possible answers that could then be probed by further open questions (Remenyi 2011). The interviews were captured by way of secured tape recordings with a view to analysing them as qualitative data to draw out grounded themes (Chamaz 2006). The questions for the semi-structured interviews were formulated based on researcher knowledge of the relevant literature on transnational police investigation and the use of JITs (Milne and Powell 2010).

In line with the overall research philosophy, the interview questions were asked with an open mind unless a closed question was needed to seek clarification. The questions were designed to draw out the who, what, where, when, why and how of *Operation Doubrava* with a focus on answering the CRQ. Even though the research interviewers kept a focus on answering the CRQ, the participants were encouraged to speak freely on their experiences of *Operation Doubrava*, to allow new ideas to emerge that could be grounded into theory. Therefore, whilst the interviews were semi-structured their direction was not controlled, other than to keep the interviewees within the parameters of talking about *Operation Doubrava* and answering the CRQ (Milne and Powell 2010, Remenyi 2011).

As already alluded to, to triangulate and enhance the interview data and draw out grounded themes, the themes drawn from analysis of the interviews were populated with OSINT (Chamaz 2006), which is research of publicly available information (USA Congress 2007). Intelligence, including OSINT, is important for LEAs and for other organisations, in that

tactical and strategic decisions are made based on intelligence (Ronn and Hoffding 2012). In fact, the definition of intelligence is that it is information taken from various sources and subjected to a rigorous evaluation and risk assessment process to assist with decision making (Harfield 2009). As underlined by Severns (2015, p86, citing Education for Change 2012, O'Dochartaigh 2007), 'OSINT is gradually being accepted as research data, despite the fact it has in the recent past been *'discouraged'* on the basis of *'citation-based assessment and authenticity criteria'*. For this study, OSINT has been drawn, predominantly, from recognised UK Government, law enforcement and media websites specialising in investigative journalism.

OSINT research targets publicly available data. Any OSINT data used in this study has been graded in respect of provenance and the methods used to gather the original information, using a grading system formulated by Severns (2015). It is a combination of the NIM 5x5x5 system¹⁹ (ACPO NPJA 2010) and the Maryland research evaluation scale (Civil Service

¹⁹ Evaluation of OSINT produced from ACPO NPJA (2010) and Civil Service (2010) and 3.6 herein.

"5x5x5 Intelligence Report:

SOURCE EVALUATION

- A - Always reliable
- B - Mostly reliable
- C - Sometimes reliable
- D - Unreliable
- E - Untested source

INTELLIGENCE EVALUATION

- 1 - Known to be true without reservation
- 2 - Known personally to source but not to officer (in this case the researcher)
- 3 - Not personally known to source but corroborated
- 4 - Cannot be judged
- 5 - Suspected to be false or malicious" (ACPO NPJA 2010)

HANDLING CODE

- Replaced by Maryland scale score with the addition of 0 where quality of research cannot be assessed (or is not applicable) and Level 5 also includes where a thorough police, parliamentary or independent investigation (including wide public consultation) has taken place:

Level 1	Observed correlation between an intervention and outcomes at a single point in time. A study that only measured the impact of the service using a questionnaire at the end of the intervention would fall into this level. (For the purpose of this research where research other than evaluation research is carried out for academic or intelligence purposes it will receive a score of 1).
Level 2	Temporal sequence between the intervention and the outcome clearly observed; or the presence of a comparison group that cannot be demonstrated to be comparable. A study that measured the outcomes of people who used a service before it was set up and after it finished would fit into this level.
Level 3	A comparison between two or more comparable units of analysis, one with and one without the intervention. A matched-area design using two locations in the UK would fit into this category if the individuals in the research and the areas themselves were comparable.
Level 4	Comparison between multiple units with and without the intervention, controlling for other factors or using comparison units that evidence only minor differences. A method such as propensity score matching, that used statistical techniques to ensure that the programme and comparison groups were similar would fall into this category.
Level 5	Random assignment and analysis of comparable units to intervention and control groups. A well conducted Randomised Controlled Trial fits into this category."

Therefore, where the source is reliable, the evidence is known to be true without reservation and it has been subjected to the highest degree of analysis it is graded the highest grade A15; The lowest grade is D50 when the source is known to be unreliable, the information is suspected to be false or malicious and no research methods have been applied or they cannot be ascertained. Where the evidence is drawn

2010). Therefore, anyone taking action based on this study is able to judge the weight of the OSINT data together with the interview data and any academic commentary before taking that action. This enables evidence based decision making and risk analysis to enhance police practice (Lee 2009).

As stated, 'the grading system used is a combination of the NIM 5x5x5 system²⁰ and the Maryland research evaluation scale. The A to E source evaluation code and the 1 to 5 intelligence evaluation code is used from the 5x5x5 system and the dissemination code is replaced by the Maryland score; with an addition of 0 where no research is involved or it cannot be ascertained. A Maryland score of 5 has also been awarded where the research

from a previously untried source it is graded E. This suggests a lower grade than D sourced evidence but, E sources, overtime, may turn out to be always reliable (Civil Service 2010 and ACPO NPIA 2010).

²⁰ Evaluation of OSINT produced from ACPO NPIA (2010) and Civil Service (2010) and 3.6 herein.

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SOURCE EVALUATION

- A - Always reliable
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INTELLIGENCE EVALUATION

- 1 - Known to be true without reservation
- 2 - Known personally to source but not to officer (in this case the researcher)
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HANDLING CODE

- Replaced by Maryland scale score with the addition of 0 where quality of research cannot be assessed (or is not applicable) and Level 5 also includes where a thorough police, parliamentary or independent investigation (including wide public consultation) has taken place:

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Level 2	Temporal sequence between the intervention and the outcome clearly observed; or the presence of a comparison group that cannot be demonstrated to be comparable. A study that measured the outcomes of people who used a service before it was set up and after it finished would fit into this level.
Level 3	A comparison between two or more comparable units of analysis, one with and one without the intervention. A matched-area design using two locations in the UK would fit into this category if the individuals in the research and the areas themselves were comparable.
Level 4	Comparison between multiple units with and without the intervention, controlling for other factors or using comparison units that evidence only minor differences. A method such as propensity score matching, that used statistical techniques to ensure that the programme and comparison groups were similar would fall into this category.
Level 5	Random assignment and analysis of comparable units to intervention and control groups. A well conducted Randomised Controlled Trial fits into this category."

Therefore, where the source is reliable, the evidence is known to be true without reservation and it has been subjected to the highest degree of analysis it is graded the highest grade A15; The lowest grade is D50 when the source is known to be unreliable, the information is suspected to be false or malicious and no research methods have been applied or they cannot be ascertained. Where the evidence is drawn from a previously untried source it is graded E. This suggests a lower grade than D sourced evidence but, E sources, overtime, may turn out to be always reliable (Civil Service 2010 and ACPO NPIA 2010).

evidence used has been the subject of a thorough police investigation that has been tested by the UK judicial system or where a thorough parliamentary or independent commission investigation has taken place based on evidence from a number of reliable sources' (Severns 2015, p86 citing ACPO NPIA 2010 and Civil Service 2010).

'Therefore, where the source is reliable, the evidence is known to be true without reservation and it has been subjected to the highest degree of analysis it is graded the highest grade A15; The lowest grade is D50, when the source is known to be unreliable, the information is suspected to be false or malicious and no research methods have been applied or they cannot be ascertained. Where the evidence is drawn from a previously untried source it is graded E. This suggests a lower grade than D sourced evidence but, E sources, over time, may turn out to be always reliable²¹' (Severns 2015, p87).

HOLMES (Unisys 2013) manual document reading, and indexing methods were used to gather, store and categorise data drawn from the interviews and OSINT the same as in Severns (2015), but this time supported by Nivo (2020) data analysis. A record was made of any data relating to *Operation Doubrava* and associated JIT and transnational investigation procedures/examples in the Nivo database. Research data was drawn from the interviews by transcribing them in full and subjecting them to line by line analysis with a view to identifying codes and developing them into categories and master categories which eventually became themes for further population and analysis based on Chamaz (2006) grounded theory research methods.

Shearing and Johnston (2010) advocate the use of data from a range of qualitative sources to map nodal networks and evaluate the influence of individual nodes on the overall network. Usually it is criminal networks that are subjected to nodal analysis. However, it is also important to map policing networks to see if they are structured to effectively deal with the criminal threat. If not, they need to be restructured. Therefore, as the data was analysed it was used to map the *Operation Doubrava* police network, to identify the nodes within the network and analyse the effectiveness of the network structure (Xu and Hsinchun 2005,

²¹ There is some subjectivity involved in the grading method used and the Maryland score tended to be either 0 or 5, apart from a score of 1 for research for a Home Office document based on public consultation as against 5 for one based on full analysis to produce a threat assessment. Nevertheless, it does enable anyone relying on the findings to judge the weight of the evidence before taking any decisions based on the findings – please also see footnote 5 that reproduces the 5x5x5 and Maryland scale (Author's note).

Kenny 2008). That structure appears to be fit for purpose subject to the challenges of Brexit which are discussed in the study findings (Appendix 10.5).

Following analysis methods used by Severns (2015), analysis for this study has been completed based on Bryman's (2008) steps on the processes and outcomes of grounded theory, complemented by Chamaz's (2006) guidance on grounded theory research. This adds to the kudos of thematic analysis in general (Braun and Clarke 2006), showing how thematic analysis can be enhanced by grounded theory methods and how such methods are put into practice using HOLMES methods supported by NVivo. In summary:

- The interview data was transcribed and coded.
- The results of the coding were reviewed to draw out categories and identify whether new data was required.
- Through constant comparison of the data, categories became subcategories of various master categories relating to *Operation Doubrava*.
- Themes emerged from the master categories and were saturated with OSINT to confirm them as established themes.
- The saturation of the themes has, in line with grounded theory research, drawn out new evidence to challenge existing theory and fully answer the CRQ (Chamaz 2006, Bryman 2008).
- Analysis continued during the writing up of the study. The findings drawn from the research were compared with the existing literature and research to provide a critical explanation for the challenge to existing theory and the answer to the CRQ (Chamaz 2006).
- In addition, a map of the *Operation Doubrava* police network was developed. This enables the reader to visualise the *Operation Doubrava* network whilst reading the study to see where the power lies and whether it was structured to deal with the organised modern slavery threat. It is nodal network analysis in action (Xu and Hsinchun 2005, Kenny 2008, Shearing and Johnston 2010). As with the police firearms network mapped by Severns (2015), it also acts as a useful guide to practitioners embarking on transnational policing activity (Appendix 10.5).

This method of combined data and nodal network analysis has enhanced the evidence on the transnational investigation of modern slavery, using JITs, to theoretically and practically

answer the CRQ. It contributes to evidenced based policing. To understand how the themes were drawn out and saturated with further evidence to answer the CRQ, it is necessary to understand the actual detailed analytical process that has taken place (Chamaz 2006).

Researcher detective experience of investigation was used during the analysis of the data gathered on *Operation Doubrava*. *'The work of a researcher is very similar to that of a police detective. Detectives are trained to keep an open mind when gathering evidence and to follow lines of enquiry. They gather the evidence in a methodical way and analyse it as they go along. As a result, new lines of enquiry are identified, prioritised and followed and existing lines of enquiry are evidenced as much as possible to establish the facts of the case. The facts are based on witness testimony (whether that witness is an evaluated confidential source or someone who is willing to give open evidence of what their senses tell them or what forensic analysis they have carried out)'* (Severns 2015, p89).

As well as using practical experience of HOLMES to gather and store data in a searchable form, researcher experience as a former HOLMES indexer, document reader and action allocator/receiver, was used to analyse the research evidence as in Severns (2015). Several actions were raised based on developing grounded theory research policy, to prioritise the gathering of research data. Actions were regularly reviewed in line with the research policy to see what further actions were required. Where an action was completed a decision was made on whether any product, from carrying out the action, was relevant to the research subject, whether it could be resulted or whether further action was required.

*'To ensure data is readily available for research and analysis and to keep track of evidence gathering in a HOLMES incident room, a systematic process is in place. All actions and documentation are read by the action allocator/receiver and the document reader who mark them up for further actions and categorisation. The categories and linked evidence are recorded on the HOLMES database by indexers and the series of categories build to form master categories and themes'*²² (Severns 2015, p90).

²² For example, licensed premises may feature as a theme in a murder investigation. This would be shown as a master category on the HOLMES made up of individual categories of 'named premises', 'types of premises' 'premises frequented by a suspect' and 'premises visited by the victim'. There may then be a thread connecting the victim and the suspect within those licensed premises that is not immediately obvious. However, with further gathering of evidence around the categories it may become apparent that both victim and suspect were dealing controlled drugs at the same licensed premises and were in conflict with each other. This could form a motive for the murder that needs further investigation.

Similarly, in gathering data on *Operation Doubrava* in line with grounded theory methods (Chamaz 2006) the product resulting from actions to interview participants and gather OSINT was indexed using NVivo. This followed a systematic process transcribing then breaking down the primary data from the research interviews into manageable extracts that identified a specific issue. These were then coded by labelling them with a specific category (Appendix 10.4). For example:

In chapter 8.1.3 on the 'Transnational Policing of Modern Slavery as a TNOC', there is a quote from Billy, talking about showing willingness and supporting willing staff by enabling them to progress the investigation and by placing trust in staff under their command²³.

This was coded under several areas including 'Police Resources' 'Willing and Able Police' and 'Police Leadership'. These in turn, through a series of categorisation and master categorisation, developed into a theme of 'Transnational Policing of Modern Slavery as a TNOC' and the 'Willing and Able' code was found together with 'Prioritising Victims' and (through application of theory and analysis during writing) 'Glocal Policing', to be an overall cross cutting issue i.e. 'A Glocal Victim Focussed Willing and Able JIT Approach'. This suggested a hypothetical answer backed up with evidence in respect of the CRQ and aim of the *Operation Doubrava* research, "To develop further knowledge of the police response to TNOC through a critical exploration of the investigation and the use of the JIT?". It also provided evidence towards answering the overall research and title of this study, "What works in respect of the transnational investigation of organised modern slavery?"

²³ Billy says, "Philosophically, I try and run a non-bureaucratic system. I try to run a system based on trust and I try to run a system based on respecting people's professional competence. So, (if one of my staff) established (a) need and having established that the resource would be gainfully employed was given the resource and then allowed to get on with it. In terms of briefing me, I would have a verbal briefing on an informal irregular basis anywhere from weekly to six weeks ... Sometimes that might be ten minutes, sometimes that might be an hour. What I didn't compel ... (is) a written report every Friday afternoon on progress because when we've done that in the past the whole week becomes focused on having something to tell the gaffer on Friday. And I'd much rather that time be spent on investigating. And the previous Chief Constable worked very hard to turn a non-trusting organisation into a trusting organisation ... in previous generations it would have been a Friday afternoon report, which may or may not have been read, but you'd be damn sure a lot of work went into preparing it."

Once this process was completed in respect of the primary data, other data was sought from OSINT to critique and prove or disprove the identified grounded themes (Chamaz 2006) and the cross-cutting theme providing a hypothetical answer to the *Operation Doubrava* CRQ and contributing to the overall 'What Works?' answer. For example:

There is OSINT evidence from the Great Britain, Home Affairs Select Committee (2019) from the West Yorkshire PCC and PCC Modern Slavery Lead, Mark Burns Williams²⁴.

His quote adds data critique to the 'Modern Slavery as a TNOC' theme and the grounded cross cutting hypothesis that there is, 'A Glocal Victim Focussed Willing and Able JIT Approach', as it demonstrates the glocal end of the transnational market in victims of modern slavery, as well as a willingness and ableness on the part of PCCs in support of the police to identify victims through identifying the existence of the crime at all levels.

Each theme, and in particular the cross-cutting theme, was saturated with OSINT to critique and prove or disprove they existed as they did. The data collected was also used to identify the nodes in the *Operation Doubrava* police network and how they were connected. The network was drawn up using NVivo software and a node and a connection were not added unless it was evidenced in the research data (Appendix 10.5). Then, when analysed together with the REA findings, grounded theory was drawn out, which suggests that what works in transnational policing is 'A Glocal Victim Focussed Willing and Able JIT Approach'.

²⁴ Mark Burns Williams states, "You are right: awareness-raising within police forces and other law enforcement and other agencies is important, but from a public perspective we need to keep reinforcing what are the signs of human trafficking and modern slavery, potentially within a workplace or neighbourhood or community. Car washes and nail bars are the ones that have been identified, but it is also increasingly about potential workplace supply chains, where businesses need to be aware and doing whatever they can. There are some really good examples of businesses providing statements about that, but in my view there is not nearly enough in terms of what the legislation or the guidance could be to go further in that regard."

A number of police and crime commissioners have accessed the transformation fund to run awareness campaigns locally and are working with Unseen, the Modern Slavery Helpline, as well to try to get those constant messages out. We need to keep raising this as an issue that our communities need to be aware of and say how to report that if they have any suspicions at all."

As with Severns (2015) research methods, the qualitative data drawn from the interviews is the primary evidence in this study and the *Operation Doubrava* participants have their own standpoint on the subject. Therefore, as well as cross checking interviews and analysing them using grounded theory thematic analysis (Chamaz 2006), the reliability and the validity of the interview participant evidence is corroborated by OSINT (Tekir 2009). This provides evidence to support an answer to the CRQ which is reliable and validated (Bryman 2008).

In respect of reliability and validity of the OSINT used. That relies on a system of grading designed by Severns (2015) based on the 5x5x5 evaluation system, which is subjective and does not '*evaluate the information per se*' (Joseph and Corkill 2011, p100). However, the 5x5x5 system does put a value on the OSINT, which assists in decision making and it is an established form of grading of police intelligence in the UK (ACPO NPIA 2010, Joseph and Corkill 2011). What the decision maker and the researcher need to ask before using and evaluating OSINT is how and why it was assembled (Ronn and Hoffding 2012). Therefore, in evaluating and determining what OSINT to use the researchers have asked that question and the answer is reflected in the grading.

Severns (2015) considered enhancing his research on the police transnational firearms intelligence network by using further qualitative empirical research with organised criminals. Similar consideration was given to interviewing members of the OCG who were the subject of *Operation Doubrava* and similar transnational crime and with other police working on *Operation Doubrava* and similar transnational investigations. However, tracing, arranging access to, and interviewing such participants would have been time consuming and costly. Therefore, it was decided that the time was best spent assessing the available evidence. The results of that assessment serve as a basis for future fieldwork research with offenders and practitioners. This study also provides evidence for future comparative research with the views of organised modern slavery participants based in other countries inside and outside the EU. Consideration should also be given to comparing the *Operation Doubrava* network to the workings of other transnational policing networks focused on other crime types. The fact that this study follows the methods used in Severns (2015) research means clear comparisons can be made between that study and this one, as in Severns, Paterson and Brogan (2020a).

It follows then that as with Severns (2015), reliability for this study has been ensured by consistency of approach in gathering and analysing the data. There are clear comparisons

between the evidence extracted from the research data and the theory applied to explain it (Bryman 2008). It is underpinned by use of established grounded theory analysis supported by recognised police investigative methods (Chamaz 2006, Bryman 2008, Severns 2015).

According to Bryman (2008, p153), “*Validity presumes reliability.... reliability refers to the method of measurement that is used; if the measure is not stable over time then it cannot be reliable*”. This measurement tends to suggest validity is more akin to quantitative research than the qualitative interpretivist research methods in this study. However, the qualitative data used includes some measurement in that Severns (2015) grading is applied to the supportive OSINT. In addition, the data gathered could be tested against confidential research and internal audits held by UK law enforcement and intelligence agencies (Lewis 2011). This means the research has been carried out with a high degree of integrity, validity and reliability so that it can be used not only for academic application and to support further research (ESRC 2012), but also as a contribution to evidence based transnational policing of organised crime.

In considering limitations to this study and with further regard to the limited number of participants who were interviewed, this is accepted provided it is well analysed (Chamaz 2006). As already established, the interview data has been underpinned with OSINT as a solution to limited access (Cornish and Clarke 2002, Best and Cumming 2007, Robert 2008, Bean 2007 and 2011, Tekir 2009, Rollins 2010). The OSINT used corroborates and adds to the data obtained from those who took part in the interviews. As with Severns (2015) it has been collected from publicly available sources posted on the internet and recorded accurately as well as being graded using established methods.

The use of the internet for research is criticised but this tends to be in relation to its overuse to answer questionnaires (Bryman 2008). This study has focused on knowledge that is already posted, including verbatim interviews with victims of modern slavery by investigative journalists and questioning of practitioners by elected Members of Parliament. As such, the internet provides a wealth of evidence that has already been collected and collecting it again for this study would have been costly and resource intensive (Smith and Leigh 1997).

Ethical issues in relation to the *Operation Doubrava* interview participants, as well as all aspects of data collection and analysis, have been respected (Kleinig 1990, p3). The main

risk relates to publication of the study, in that disclosing the identity of the participants could damage their professional reputation (Severns 2015). Therefore, consideration was given by the researchers in choosing the participants to morality and what was reasonable in respect of who took part (MacVean and Neyroud 2012). People are at the centre of ESRC *'principles, procedures and minimum requirements'* and were at the centre of this study. This included informing participants of the research methods, how the research will be used, how their information and identity would be protected, the voluntary nature of their participation and the risks or harm from taking part in the research (ESRC 2012, p2). Some might argue that such ethical restrictions do not lead to open and honest disclosure of data (Noakes and Wincup 2004). However, adhering to a clear code of ethics has increased the trust between the researchers and the participants (Severns 2015) in what is a difficult area to research (Cornish and Clarke 2002) and the participants have been allowed to give honest corroborated evidence.

Confidentiality of interview material has been managed on password protected computer software. In addition, none of those interviewed were questioned about operational tactics. Consent was obtained from the interviewees using the SHU consent form. They were supplied with questions in advance of the interview and they were invited to review the questions and to eradicate those questions that could have led to the disclosing of operational tactics or sensitive sources. Nothing was eradicated. This proved effective in establishing trust for Severns (2015) research with police officers investigating transnational crime and it was just as effective in this study.

As advised by Remenyi (2011) and followed by Severns (2015), the anonymity of the interviewees is being managed by not disclosing their personal details or their specific roles in this study or any subsequent publications. The participants have been provided with non-gender specific pseudonyms²⁵ within the text of this study. In addition, the data used in the study has been checked by a researcher with operational police experience and discussed with participant representatives to ensure it does not lead to professional embarrassment or disruption of operational tactics.

²⁵ They are known as *Alex, Billy, Chris, Gene and Jordan*. Gender spellings of the names are mixed and do not necessarily relate to the gender of the participant.

No participants have withdrawn from the research. They were informed that they could withdraw at any stage and, to engender further trust, they were informed that action would be taken in favour of the participant and their data destroyed, even though EU legislation allows for retention. Access to such police participants is rare; therefore, the research should be carried out with the balance in their favour (Severns 2015, citing Cornish and Clarke 2002 and Macaskill 2013).

In conclusion, the qualitative data gathered in the REA, from the semi-structured interviews, from the OSINT saturating the interview themes and the subsequent nodal network analysis has been subjected to a thorough tried and trusted analytical methodology. This has resulted in identifying the gradual introduction and increased confidence in JITs underpinned by a glocal victim focussed willing and able JIT approach. Those findings will now be discussed in detail in parts II, III and IV of this evidence review. The REA findings in part II. The *Operation Doubrava* findings in part III and the overall conclusion in part IV.

PART II – ‘THE REA FINDINGS’

‘Victims are (currently) being let down at every stage. Identification, information flows, victim focus, and investigative practice all need to be improved considerably, so that victims receive the full range of protections and safeguards to which they are entitled, and more offenders are brought to justice’ (Sereni and Baker 2018, p.37).

6. REA Findings

6.1 Kelly and Regan (2000). *‘[Stopping Traffic: Exploring the extent of, and responses to, trafficking in women for sexual exploitation in the UK.](#)’* [online]. Home Office.

Last accessed 5th April 2019 at: <http://andreanetwork.pbworks.com/f/trafficking.pdf>

Background to this paper

This paper was published in 2000 by the Home Office. The paper highlighted findings of research to evaluate the extent and dynamics associated with the trafficking of women for sexual exploitative purposes. The response of LEAs to dealing with trafficking was also

evaluated. It was found that most police forces had limited understanding and knowledge of trafficking and as a result the issue was largely overlooked. Therefore, an unintentional climate of tolerance regarding the trafficking of women into and across the UK was created (Kelly and Regan 2000).

What was the expected theory of change and to what extent has it been achieved?

The research itself sort to understand the nature and scale of the trafficking of women into the UK for the purpose of sexual exploitation and how it should be defined at that time; including whether it should be considered a form of slavery. The investigative and prevention interventions that were in place to deal with trafficking of women for sexual exploitation, were also evaluated to see if they were effective. The overall focus was to develop knowledge about the problem and implement policy change (Kelly and Regan 2000).

Discussions around international policy suggested the need for states to have effective legal frameworks that would allow for positive coordinative strategies regarding the fight against trafficking. The first steps required to effectively address the trafficking of women into and within the UK included regular monitoring of prostitution taking place off the streets in order to improve understanding of the problem. Support from specialist NGOs was required for victims, as well as an expansion of proactive measures and reform of the legal framework in order to effectively convict and prosecute perpetrators (Kelly and Regan 2000).

The research established some benchmarks in relation to trafficking and drew out the concept of '*contemporary forms of slavery*' (Kelly and Regan 2000, p.3). This was because some of the women being trafficked were having to prostitute themselves to clear a debt (ranging from travel expenses to rent and laundry) under threat of violence to themselves and their family and in effect they were subjected to bonded labour. '*Virtual imprisonment*' (Kelly and Regan 2000, p.10) resulting from mental coercion and deception rather than physical was also identified as being problematic as there was no legislation to cover women trafficked and finding themselves in such circumstances (Kelly and Regan 2000).

There was some indication of women being trafficked around the UK. However, in contributing evidence to establish a benchmark to change the understanding of the

transnational problem, it was found that evidence that women were being trafficked into the UK first came to light around 1990. This tended to be in brothels run by Triads. Then, at the time of the report in 2000, intelligence indicated women were being trafficked from South America and Thailand, then Central and Eastern Europe and potentially West Africa. There were 18 UK investigations in 1998 classed as trafficking cases, involving 71 women trafficked from outside the UK. Further analysis from a variety sources suggested the actual annual figure for the number of women being trafficked into the UK in 2000 was between 142 and 1420 (Kelly and Regan 2000).

Proactive investigative interventions giving priority to supporting victims were found to be most effective. However, the lack of knowledge resulting from a lack of intelligence and understanding of THB meant that such investigations were low priority and were not allocated resources. This research provided increased knowledge and understanding and suggested that where a strong case could be built locally, and transnational links made to further the investigation it was possible to protect victims and disrupt and dismantle OCGs engaged in THB (Kelly and Regan 2000).

What method of evaluation research was used (including Maryland Score)?

There was a cross sectional 'snap-shot in time' design (King and Wincup 2007) to the research. Mixed methods of gathering qualitative and quantitative data were used. A survey of the 43 English and Welsh territorial police forces was carried out. UK legislation and international policy was reviewed together with previous research. In-depth interviews were done with police, immigration, government and NGO specialists. Data was collected from media accounts of trafficking cases. Secondary analysis of organised crime and other data on immigration patterns and prostitution related prosecutions was completed and much of the research was underpinned by data obtained from internet research (Kelly and Regan 2000). **Maryland Score of 1.**

What type of investigative intervention has been researched?

Various investigations were examined to see how effective they were. One involved a media exposure of two brothels being run from Saunas by an English man and his Thai wife. The

women trafficked and subjected to sexual exploitation and debt bondage were from Thailand. They had either overstayed on visas or were subject of suspected sham marriages to elderly English men. The trafficking was arranged by a Thai based syndicate supplying women to various first world countries. A local proactive investigation was run resulting in charges and convictions relating to living off immoral earnings and facilitating illegal entry to the UK. There is no indication of a transnational investigation taking place but there is criticism of the length of time the investigation took and no appreciation of the seriousness of the offence. It was only given priority when links were made to drugs (Kelly and Regan 2000).

Another Thai woman pressurised other Thai women, who she trafficked into the UK by supplying false visa details on their behalf, into prostitution. It is alleged she did this by getting them into debt through gambling and threatening them with retribution against families in Thailand by corrupt Thai police. Again, there is no indication of any transnational investigation, but a local UK reactive investigation was hampered by victims who refused to give evidence; they would only supply information (Kelly and Regan 2000).

A proactive investigation followed the escape of a Lithuanian woman from a brothel apparently run by a Lithuanian OCG. As a result of answering an advert for bar work 7 Lithuanian women were trafficked into the UK, passing through immigration with fraudulent language course acceptance letters. Once in the UK the women were met by the OCG who took their passports and threatened them and their families with violence if they did not take part in prostitution. The Lithuanian woman who originally escaped the brothel gave evidence and was supported throughout the process. No assets were recovered from any offender as it had been sent back to Lithuania laundered through a German second-hand car business. There is no evidence of transnational investigation but strong evidence of success in supporting a vulnerable witness through the trial process (Kelly and Regan 2000).

Emphasis was placed by the researchers on the importance of proactive intelligence led investigations. Little evidence of transnational work exists other than the Metropolitan Police from the Club and Vice Unit liaising with UK Non-Governmental Organisations (NGOs) and embassy staff in countries of origin to attempt to support victims returning home. The then National Crime Squad (NCS) and National Criminal Intelligence Service (NCIS) were responsible for investigating TNOC but had little intelligence on THB so it was not considered a priority for them (Kelly and Regan 2000).

How has the investigation safeguarded modern slavery victims?

Most detected trafficked women were found to have been deported at their own request within 48 hours due to fear of reprisals and the anger and shame at being deceived. The UK at the time provided little support to victims who were seen more as illegal entrants and therefore offenders by the Immigration Service. However, the Metropolitan Police Clubs and Vice Unit were praised in THB cases for making the recovery of victims their priority over bringing the offenders to justice. As previously discussed, they also sort local UK embassy and NGO support for victims (Kelly and Regan 2000).

Which OCGs are involved?

There was evidence to suggest the OCGs involved in the transnational trafficking of women were also involved in trafficking money and drugs. They generally comprised family or community members in originating countries with transnational links to family and community in destination countries. A question was raised about enterprising individuals trafficking women, being absorbed into OCG networks but it was not clear if that was happening. What was clear was the scale of organised crime involvement and that was of concern to many European countries (Kelly and Regan 2000).

The study highlights a trafficking syndicate in Thailand as one that provides women for the purposes of sexual exploitation to countries such as Canada, USA, UK, France, Germany, Netherlands, Switzerland, Japan, Indonesia, Malaysia, Australia and New Zealand (Kelly and Regan 2000).

An OCG from Albania is brought to the fore as the research draws on evidence from an investigative journalist who infiltrated a *“trafficking gang in Tirana posing as an agent seeking women and was told that women could be delivered to the UK”* (Kelly and Regan 2000, p.20). The study also presents a case study involving a nine-month investigation after the identification of seven Lithuanian women who had been trafficked through student visas (Kelly and Regan 2000).

How has the investigation disrupted the activity of OCGs?

There is some minor local disruption resulting from the, sometimes stifled, proactive investigations researched by Kelly and Regan in 2000. However, there is little evidence of transnational disruption or dismantling OCGs. Mainly due to THB being a hidden problem at the time and an apparent culture of tolerance regarding the trafficking of women into and across the UK (Kelly and Regan 2000).

What other relevant themes, if any, have been drawn out from the research that are relevant to answering the REA Central Research Question (CRQ)?

This paper acknowledges from the start that the best way to understand trafficking would be to include in depth interviews with the victims. In addition, human rights that were being violated, in particular ECHR Article 4 freedom from slavery and forced labour, were drawn out. States should take action to preserve such rights by tightening legislation so that trafficking was not a '*low risk, high reward activity*' (Kelly and Regan 2000, p.11) for criminals.

'*Low risk, high reward*' suggests rational choices (Cornish and Clarke 2000) being made by organised criminals, weighing up their profits against the risks. There was also evidence drawn from this paper regarding competitive adaptation (Kenny 2008) in respect of organised criminals moving their activities to UK areas where police and other LEAs paid little attention to trafficking. Similarly, if OCG trafficking routes (from South East Asia and West Africa direct by air to Heathrow or via mainland Europe and Eurostar and various air and sea routes from Eastern Europe) are subjected to surveillance and subsequent enforcement by police and LEAs, then the OCGs adapt and become creative with how they move women into the UK.

Many victims were vulnerable to trafficking as they originated from poor countries and were drawn to the UK by their own or the trafficker's expectation of lucrative rewards from a wealthy country. As well as having weak economies many originating countries were also found to have established sex industries and women were subject to increased inequality and marginalisation (Kelly and Regan 2000).

Women were recruited for trafficking by coercion (abduction and kidnapping), deception with the promise of legitimate employment or fulfilling their dreams to dance and entertain (even as strippers) and women wanting to be prostitutes, but deceived into thinking they would not be subjected to any form of extensive coercion. Some of the recruitment (particularly in Central and Eastern Europe) was by adverts for well paid jobs or 'night club pick-ups' (Kelly and Regan 2000).

At the transnational and global level, evidence highlighted in the paper suggested there should be support to ensure temporary residence for victims willing to give evidence in THB cases and more engagement between Europol and Interpol on understanding trafficking. A recurring theme at the time was that there should be increased involvement by Europol, who only had the equivalent of one and a half staff working on THB (Kelly and Regan 2000).

6.2 Balch (2012). [Regulation and enforcement to tackle forced labour in the UK: A systematic response](https://www.liverpool.ac.uk/~joseph/roundtree/forced-labour-regulation-full.pdf). *programme paper (University of Liverpool–Joseph Roundtree Foundation, Liverpool, 2012)*. [online]. Last accessed 5th April 2019 at: [file:///C:/Users/Severns/Downloads/forced-labour-regulation-full.pdf](https://www.liverpool.ac.uk/~joseph/roundtree/forced-labour-regulation-full.pdf)

Background to this paper

This paper was commissioned by the Joseph Rowntree Foundation (JRF) and published in February 2012. The JRF is an independent organisation working for social change with the aim of reducing poverty. They commission research which influences policy and practice in several areas including the reduction of modern slavery and support for the victims of modern slavery (Balch 2012).

This paper mapped the response to modern slavery with the intention of making recommendations to fill any gaps and suggest future research. The focus was on the causes of the forced labour element of modern slavery and the challenges for regulation and enforcement around that. It cites the 23 deaths at Morecambe bay in 2004 as bringing the issue of labour exploitation into political debate and an undercover exposure by a Lithuanian investigative journalist in 2007 as highlighting the lack of investigation into labour exploitation which amounted to forced labour (Balch 2012).

The paper differentiates between labour exploitation as a matter dealt with by employment law and through regulation of the labour market usually by the then Gangmasters Licencing Authority (GLA)²⁶ and forced labour as being a matter for criminal investigation by the police and other LEAs in the UK. Despite arguments over the historical definition of 'slavery' being terminology for ownership of people (and their children) as a commodity it is used as an alternative definition of forced labour. The paper cites Quirk in stating that, '*...the emotive response of the term has meant that 'slavery' is frequently employed to provide greater symbolic power as a rhetorical device and can be used as a powerful call to action*' (Balch 2012, p.6).

What was the expected theory of change and to what extent has it been achieved?

The research set out to develop knowledge on the causes of forced labour and what steps the UK Government has taken to regulate against forced labour to prevent it and enable enforcement against perpetrators. This was done with a view to making various policy changes to bring about future change with the aim of reducing modern slavery and protecting victims of modern slavery (Balch 2012).

The paper provides an understanding of the problem of forced labour and the complexities of the legislation and how it was enforced up to 2012. There is criticism of the Government for failing to sign up to some international agreements that would overcome some of the problem. Multi-agency enforcement operations are highlighted for bringing together various skills to reduce the problem. However, it was found there was little success in prosecuting

²⁶ The GLA is now known as the Gangmasters and Labour Abuse Authority (GLAA) and now has a remit to, '*investigate reports of worker exploitation and illegal activity such as human trafficking, forced labour and illegal labour provision, as well as offences under the National Minimum Wage and Employment Agencies Acts*' (GLAA 2019).

offenders and little scope for sustainability of large scale multi agency enforcement. There were also difficulties in bringing the United Kingdom Human Trafficking Centre (UKHTC) under the control of SOCA. Research suggested the move '*led to a loss of political momentum and expertise*'. However, it gave it increased opportunities at the transnational and international level (Balch 2012, p.23); undoubtedly via the SOCA Liaison Network (SLN). The SLN was championed as a key asset to transnational police work when the NCA replaced SOCA in 2013 (Severns 2015).

Recommendations were made by Balch (2012) in this paper for increased training, especially for front line staff and managers in any agency or organisation likely to meet victims of forced labour. The paper also made recommendations for further and more in-depth inspections of investigations into forced labour, inspecting the operation of the NRM, the appointment of a '*national rapporteur*' for forced labour (Balch 2012, p.45), introduction of new legislation including provision to ensure support for victims, provision of adequate resources to the police and other LEAs and increased leadership and co-ordination of investigation into all forms THB. More widely there are recommendations that the Government should ensure fairness in job creation, support for the most vulnerable of workers in employment tribunals and a review of the inspection of labour providers (Balch 2012).

This paper concludes by recommending that any future research should have an emphasis on qualitative research by interviewing victims in order to understand their experiences. Research should also include how police forces prioritise THB investigations, how those trained in such investigations are used, the impact investigations have on victims and how well human rights underpins and informs all activity to investigate and prevent all aspects of modern slavery (Balch 2012).

What method of evaluation research was used (including Maryland Score)?

There was a cross sectional 'snap-shot in time' design (King and Wincup 2007) to the research. Twenty semi-structured interviews were completed with those working to regulate and enforce against forced labour impacting on the UK and a focus group event was organised where various agencies and organisations were represented in a round table

discussion. Further data was also gathered by way of desk-based research (Balch 2012).

Maryland Score of 1.

What type of investigative intervention has been researched?

This paper focuses on mainstream v specialist investigations as well as a case study of multi-agency investigative work. The Coroners and Justice Act 2009 offence of forced labour and *PA v Commissioner of the Police of the Metropolis* (2009), where the police accepted they were in breach of ECHR Article 4 (protection from slavery and forced labour), places a duty on the police and other LEAs to investigate forced labour. It also evidences the difficulties in separating forced labour from other forms of THB to ensure it is a priority for the police. In doing that, consideration is given to whether the investigation of forced labour should be a mainstream activity or the duty of a specialist unit (Balch 2012).

Differing levels of forced labour in different parts of the UK lead to the conclusion there should be a balance between specialism and mainstream and if a specialist unit is set up it should be accompanied by an awareness raising strategy. Such specialist units are key to developing knowledge on the problem of forced labour and it is suggested that once they have embedded that knowledge as a core policing function they could be disbanded and that would be a success (Balch 2012).

There is no specific mention of transnational policing using JITs. However, in considering specialist police activity the paper looked forward to the creation of the NCA as connecting the local to the global. It viewed the NCA as an agency that would improve transnational investigation of forced labour as part of THB with intelligence and ILP being key to developing knowledge and coordinating a holistic multi-agency response (Balch 2012).

Operation Ruby was studied as an example of good multi-agency working to disrupt forced labour trafficking and support victims. 200 staff from UKHTC, SOCA, GLA, United Kingdom Border Agency (UKBA)²⁷, Northamptonshire Police, Kettering Borough Council, The Red

²⁷ The UKBA was replaced by UK Visas and Immigration in 2013 (Great Britain, Home office 2019). The UK Border Force LEA was also formed within the Home Office with responsibility for managing the UK border and working with the Home Office (including Immigration Enforcement (IE)), police and other LEAs on counter terrorism, organised crime modern slavery and trafficking (Border Force Recruitment 2019, Great Britain, Home Office 2019a).

Cross and the Migrant Helpline, targeted 21 premises. Although 13 people were arrested and charged with forced labour offences but then acquitted at court²⁸, multi-agency forward planning enabled evidence gathering and supported victims. The paper sums this up with a quote from an Operation Ruby participant:

'There were coaches with interpreters, pre-translated leaflets and so on. We realised that individuals would be terrified. We got them ... to a reception centre – where there was the Red Cross, and some other voluntary groups. At the centre we had medical care, accommodation – and that gave us time for interviews, which was where we got most of the evidence' (Balch 2012, p.32).

Despite the obvious willingness of agencies to work together, there was no indication of any transnational investigation element to Operation Ruby and there was criticism of the lack of a Senior Investigating Officer (SIO) to oversee what was viewed as an expensive resource intensive operation. It appears there was obviously a need for an organisation such as the, then proposed, NCA to pull together multi agency responses and professional investigation from the local to the transnational. The paper makes a point of evidencing a lack of investigation into forced labour and a lack of a *'systematic multi agency approach'* to the problem (Balch 2012, p.34).

How has the investigation safeguarded modern slavery victims?

There are few specifics in this paper about the investigative interventions researched leading to victims being safeguarded. However, it alludes to police and other LEA specialist investigative teams having the knowledge to effectively support victims through the CJS process and multi-agency responses such as Operation Ruby including agencies with the ability to provide support for victims (Balch 2012).

It was found there was an overall lack of knowledge on the prevalence and nature of forced labour due to it being a dark crime. The political emphasis was on how much and a lack of emphasis on how to stop forced labour. There is a push for more research to be done with

²⁸ Apparently due to difficulties in proving knowledge on the part of the defendants, proving intent to traffick and the ability of the criminal justice system (CJS) to handle forced labour cases involving foreign workers.

victims to establish if enforcement including a variety of specialist, general and multi-agency investigations fully support victims (Balch 2012).

Which OCGs are involved?

There is no discussion of the makeup of any OCGs in Balch's (2012) paper. However, further research into Operation Ruby has found that the OCG involved local people (believed to be British) from Kettering, Coventry and Wolverhampton, Indian nationals living in Kettering, Polish nationals living in Coventry and Birmingham and a Portuguese national living in Spalding. The victims who were being trafficked to and within the UK to pick leeks were 60 men and women from Slovakia, Poland, Romania, the Czech Republic and Hungary. They were living in overcrowded conditions in Kettering and working machinery that in effect physically punished them if they worked too slow (Police Oracle 2008, Northamptonshire Police 2009, Balch 2012).

How has the investigation disrupted the activity of OCGs?

There is little of evidence of disruption of any OCGs in the research apart from the arrest of 13 individuals making up the Operation Ruby OCG. All were subsequently acquitted at court after a two-and-a-half-year investigation followed by a four-month trial (Balch 2012).

What other relevant themes, if any, have been drawn out from the research that are relevant to answering the REA Central Research Question (CRQ)?

Government policy was found to be in favour of strengthening border controls rather than protecting people from forced labour. Theresa May, the then Home Secretary, is cited by Balch (2012) as wanting to scrap Human Rights in order to be able to deport certain foreign criminals.

Organisational culture is considered as a lack of joined up thinking between those who make policy and those implementing policy has an impact (Balch 2012). This impact can be negative. However, as indicated by Severns (2015) there is a wealth of literature examining

bureaucratization and the people who operate that bureaucracy and it is the people who make up the bureaucracy that make it work and the culture that exists among those people determines the outcome. Therefore, positive can do, willing and able cultures adhering to due process and supporting victims should be encouraged.

6.3 Annison (2013). [In the Dock: Examining the UK's Criminal Justice Response to Trafficking](https://www.antislavery.org/wp-content/uploads/2017/01/in_the_dock_final.pdf). [online]. Last accessed 5th April 2019 at:
https://www.antislavery.org/wp-content/uploads/2017/01/in_the_dock_final.pdf

Background to this paper

The Anti-Trafficking Monitoring Group (ATMG) (2019) is hosted and chaired by the charity Anti-Slavery International (ASI). The ATMG was established in 2009 to monitor UK implementation of European anti-trafficking legislation in respect of all types of internal and transnational human trafficking. The priority of the ATMG is the human rights of victims and whether they are being protected and according to Annison (2013) they work closely with the Human Trafficking Foundation and Stop the Traffik.

Annison's (2013) extensive research paper was commissioned and published by the ATMG to examine how the UK CJS deals with trafficking in human beings. It focuses on the

protection of victims who face criminalisation as a result of being forced to commit offences such as cannabis cultivation. It also examines how much action is being taken to bring the traffickers to justice.

What was the expected theory of change and to what extent has it been achieved?

The ATMG works to ASI's (2015) theory of change (ATMG 2019). The ATMG and ASI intend to change to a world free from slavery by engaging at the structural and grassroots level. At the structural level they take part in media engagement, raising awareness and providing education, advocacy, campaigning, coalition building, legal support, test cases and research. Their structural level stakeholders are the general public, trade unions, faith groups, business, international institutions, employers, Governments and donors. Through structural level engagement they help to build strong legal frameworks, change policy and ensure accountability and transparency (ASI 2015).

ASI's (2015) grassroots level activities are like the structural level activities with the addition of mobilisation of resources in support of its grassroot stakeholders, i.e. people in slavery, communities and traditional leaders. This should empower people to exit and prevent slavery, change behaviours towards slavery, create new social norms that do not involve slavery, give victims and other stakeholders access to resources, grant access to justice and provide protection from slavery.

Annisson's (2013) ATMG paper contributed to the ASI overall theory of change by evaluating how impactful UK CJS THB investigations and prosecutions have been at overcoming any investigative or procedural challenges, protecting victims of trafficking and not criminalising them. The intention being to identify good investigative and CJS practice in an under researched area, which future investigations could follow to bring offenders to justice and protect victims.

The research developed knowledge on investigations, and it was found that successful prosecutions resulted from individuals having a good knowledge of THB and being willing to dedicate time and effort towards achieving a successful prosecution. Success in the investigation stage was due to police specialist knowledge and success at the trial stage was

due to good knowledge of THB amongst CPS workers and barristers appointed by them, as well as amongst the judiciary. Investigations and prosecutions were underpinned by solid transnational and international partnerships and multi-agency working. Examples of effective tools for investigating THB included Europol, JITs and the European Arrest Warrant (Annison 2013).

However, there were shortcomings in the UK CJS, which was found to be lacking a joined-up response to prioritise the investigation and prosecution of THB. Legislation was fragmented and confusing and investigation of THB was not a priority for the police in general. The paper concluded that unless such a systematic response was implemented the UK was '*at risk of losing the fight against human trafficking*' (Annison 2013, p.9). The findings in support of the conclusion included figures from the NRM that suggested in 2012 forced labour exceeded trafficking for sexual exploitation for the first time. Sexual exploitation of women continued for off street prostitution and with some Romanian females being trafficked for on street prostitution (Annison 2013).

Therefore, from a prosecution point of view, this paper recommended the creation of a single unified piece of legislation to cover all aspects of THB (including victim protection). From an investigation point of view, it recommended increased use of Europol's resources, JITs and European Arrest Warrants. It also highlighted the need for increased specialist knowledge and basic training for the police and other members of the CJS on the identification of victims and investigation and prosecution of THB. In addition, it supported the creation of a single police force for Scotland with a single specialist unit responsible for investigating THB (Annison 2013).

Other recommendations from this paper included the creation of a UK Anti-Trafficking Commissioner to hold UK organisations to account for prevention of all aspects of THB, a unified single system of data collection on THB to ensure clarity on the problem with THB and comprehensive support for and multi-agency investigation of child trafficking. Children to be defined as any person under 18 years old (Annison 2013).

What method of evaluation research was used (including Maryland Score)?

Again, the research for this paper was based on a cross sectional 'snap-shot in time' design (King and Wincup 2007). Desk based and field research was undertaken which included a literature review of relevant publications and legislation, attendance by researchers at workshops, seminars and presentations on THB. Purposive and snowball sampling (Bryman 2008) resulted in 82 participants, with specialist knowledge of investigation and prosecution of THB, taking part in 49 semi-structured interviews, focus groups and providing written responses. In addition, 12 victims were interviewed about their experiences of the UK CJS. Several different investigations were studied (Annison 2013). **Maryland Score of 1.**

What type of investigative intervention has been researched?

The research for this paper examined proactive, reactive and disruptive investigation from initial identification of trafficked victims through to transnational investigation by police and other LEAs. The '*golden hour*' principle applies to THB investigations just as much as other investigations. Therefore, it is important for front line police officers and other first responders, including Police Community Support Officers (PCSO) to recognise the signs of trafficking, so that early action can be taken to secure forensic and other evidence and locate suspects (Annison 2013, p.43).

Any investigation should consider the needs of the victims so that they are effectively supported through the CJS to give their evidence. Despite evidence of victims reporting offences of THB direct to the police, many do not do so due to fear of reprisals from the traffickers, trauma or being happy just to return to a better life if they have escaped the traffickers. Therefore, victims must be the priority and if they are unwilling or unable to report THB and/or give evidence, the police and other LEAs need to consider gathering evidence from all available sources to support a prosecution (Annison 2013).

The paper cites individual investigations that were successful due to the police officers involved having a good knowledge of THB and providing support for victims throughout the CJS process. Research participants confirmed that the police officers and others involved in these cases had, '*a desire to carry out such investigations, greater understanding and support for the trafficked person and a solid knowledge of legislation including the evidence required to prove the constituent trafficking elements*' (Annison 2013, p.51). Such a '*willing and able*' culture is identified by Heeres (2012, p.112) as essential to transnational

investigations. However, it should be essential in all investigations and Annison's (2013) paper evidences that it was not in existence in the UK as the norm for investigating THB due to competing demands and a lack of awareness and knowledge of THB amongst officers.

Operation Golf is cited in Annison's (2013) paper as a good example of transnational investigation involving UK police working with Romanian police to dismantle an OCG forcing children to commit petty crime. Also, Operation Reflex is cited as a good example of a multi-agency transnational investigation. It was funded by the Home Office from 2007 to 2010. And involved several English police forces working together with the then UKBA and a network of ILOs deployed in various countries gathering intelligence to investigate organised illegal immigration. Organised illegal immigration and its close links to THB for forced labour was recognised as a problem for the UK following the death of 58 illegal Chinese immigrants in the back of a lorry at Dover in 2000 (BBC 2000).

Operation Reflex created several specialist police units that led to increased detection of THB. It also funded both operation Pentameters co-ordinating UK wide police activity to investigate and disrupt various forms of THB in 2006 and 2007. However, once disbanded in 2010 the number of THB investigations fell, and the specialist officers were lost to other departments. In effect an apparent willingness due to officers being enabled by funding and focus disappeared. Overall the picture in 2013 was one of an inconsistent approach to investigations, with a failure to launch investigations in some cases and THB for sexual exploitation taking priority over other forms of THB such as for forced labour and servitude in other cases (Annison 2013).

Inconsistency also existed with transnational investigations, with many police forces focusing on what was happening in the UK, rather than entering a full transnational investigation together with police and LEAs from other European countries where the OCGs or individual THB offenders practiced elements of transnational THB. The challenge was that the police needed to overcome language, legal, political and cultural barriers which were considered complex and expensive. Where UK police liaised with Europol to check information there was evidence that it resulted in an exchange of useful intelligence, but the UK police did not always contact Europol. There was evidence of good use of the European Arrest Warrant (which saves on lengthy extradition) when 10 traffickers were to the UK to face trial for THB in 2012 (Annison 2013).

JITs were also evidenced as a good tool for investigating transnational THB. JITs were praised for speeding up information exchange which is a lengthy process if police resort to MLA. They were also found to be useful for enabling officers to be deployed with powers in other countries. They also attracted funding from Eurojust for interpreters, travel and accommodation. The previously mentioned, Operation Golf, is cited by the paper as good practice (Annison 2013).

Operation Golf in 2007 was the first JIT to investigate transnational THB. It was initiated by the MPS who were investigating a problem of prolific pick pocketing in the Westminster area by Romanian children. It was found the children were being trafficked to London to commit the crimes by a Romanian Roma OCG operating in both Romania and the UK. A JIT was agreed between the MPS and the Romanian National Police (RNP). The RNP focussed on the main traffickers in Romania and the MPS the lower level OCG members operating in London. As a result, most of the members of the OCG were arrested and prosecuted and weapons and proceeds of crime were seized (Annison 2013).

Most of the evidence in the paper relates to investigations by English and Welsh police forces. However, the CJS in Scotland and Northern Ireland was also researched. As alluded to in evidencing the theory of change in this paper, the research advocated support for a single specialist unit to investigate organised THB in Scotland. It also laments the fact the Police Service of Northern Ireland (PSNI) disbanded its specialist unit in favour of the PSNI Organised Crime Branch (OCB) investigating such offences alongside other crimes. Whilst it accepts the OCB provide a thorough sensitive investigation, it relies on front line divisional officers without any specialist knowledge of THB for referrals and at the time of reporting, no investigations into forced labour had been launched by the OCB (Annison 2013).

How has the investigation safeguarded modern slavery victims?

There is evidence of initial reporting to the police by victims being subjected to forced labour not being dealt with as victims. Some were sent away and told to contact the Home Office as it was an immigration matter. Others were dealt with as suspected illegal immigrants or told that when their passports were being withheld by 'their employers' that it was a civil matter (Annison 2013).

Police officers attending reports of overcrowding, in at least one instance, concluded that it was '*a marked improvement on conditions they were used to*' (Annison 2013, p.44). An incorrect assumption based on misguided cultural beliefs. These examples all relate to victims subjected to forced labour which suggests there was a further misguided assumption that THB related to women and children being subjected to trafficking for sexual exploitation (Annison 2013).

As with investigations the support for victims is inconsistent and only effective where either individual officers are willing and able to investigate THB and support victims or as with Operation Reflex where funds and focus were provided to enable officers to investigate THB and rescue victims. Operation Golf is also evidenced as best practice as it safeguarded 200 Romanian children forced into criminality by not criminalising them. The police involved the Social Services with the children to protect them from '*neglect and maltreatment*' and a care order was put in place which included schooling for the children in the UK (Annison 2013, p.117).

Which OCGs are involved?

The research for this paper identified individuals working alone at THB. However, in general, there are several loose and highly structured transnational OCGs involved in THB. The OCGs are composed of family and friends and include cross generations from the same nationality or ethnic community. Many OCG traffickers are ubiquitous but some have specific duties including responsibility for either financing the operation, recruitment of victims, transportation, targeting officials for corruption, enforcers and debt collectors who realise the profit. One such OCG example highlighted in the paper is the Operation Golf Romanian Roma OCG (Annison 2013).

To control their victims the OCG deceive them, coerce them and/or imprison them, but the main method of control tends to be psychological coercion. In some cases, victims accept that they are just a commodity. Victims are targeted for their vulnerability caused by poverty, lack of education, harsh upbringing, domestic abuse, being abandoned as a child. In addition, internal factors such as age, learning disability or substance addiction make people vulnerable to becoming victims to THB (Annison 2013).

How has the investigation disrupted the activity of OCGs?

This paper evidences the fact that rather than whole transnational OCGs being taken apart and all participants from financiers and facilitators to enforcers being prosecuted, the focus tends to be on investigating and disrupting the UK end of any operation. Therefore, if it is a transnational OCG it tends to be the enforcers working in the UK who are investigated and convicted. An exception to this was the dismantling of the Romanian Roma OCG targeted by Operation Golf utilising the auspices of a JIT between the MPS and the RNP (Annison 2013).

What other relevant themes, if any, have been drawn out from the research that are relevant to answering the REA Central Research Question (CRQ)?

Professional interpreters with relevant experience of different dialects who were psychologically and emotionally able to cope with victims were considered key to gathering evidence from victims, gaining their confidence and supporting them throughout the whole CJS process. The allocation of interpreters should be consistent and not subject to regular changes. Such interpreters are expensive and the research for this paper found a lack of budgeting for interpreters was leading to the use of volunteers. Such volunteers, whilst willing, were not always fully suitable due to lack of knowledge on local and rare dialects, lack of cultural awareness and not always psychologically or emotionally able to cope with the disclosures being made by victims (Annison 2013).

The police need to consider the issue of criminalising victims as many trafficked victims are forced to commit crimes. If at any time the police are dealing with a suspect who might be a trafficked person, they need to refer them to the NRM. According to the paper *R v LM and others* placed a duty on the police to do this, but no guidance was in place (Annison 2013).

Other support should be given to victims throughout the CJS process whether it be for drink or drug addiction or enabling therapy to take place to deal with trauma. Such interventions have been singled out as matters which could undermine the prosecution. However, victims need that consistent support and it should be recognised and managed in consultation with

all those involved in the CJS process. Similar support and management is required to facilitate victims to give video link evidence from their home country, for special measures and wider witness/victim protection (Annison 2013).

6.4 Obokata et al (2014). [North-South Irish Responses to transnational Organised Crime: research Report and findings](http://eprints.glos.ac.uk/3777/1/AHRC_Project_North-South_Irish_Responses.pdf). *Arts and Humanities Research Council and Keele University*. [online]. Last accessed 8th April 2019 at: http://eprints.glos.ac.uk/3777/1/AHRC_Project_North-South_Irish_Responses.pdf

Background to this paper

The research for this paper was funded by the Arts and Humanities Research Council (AHRC) to review the cross border Northern Ireland/Ireland response to TNOC. The research was funded for two years between 2012 and 2014. The paper includes some evidence on the investigation of THB by the PSNI (the national police service for Northern Ireland) and the Garda Síochána (the national police service and security service for Ireland) (Obokata et al 2014).

What was the expected theory of change and to what extent has it been achieved?

The research was expected to provide overall up to date knowledge on the response to TNOC and highlight good practice and make recommendations to bring about change to improve the TNOC response with the aim of reducing such organised crime. In doing this the research included an examination of investigations into TNOC which were expected to bring about change by disrupting OCGs and bringing offenders to justice (Obokata et al 2014).

The research questions included the following which were relevant to the REA:

- *How is organised crime defined in Northern Ireland and Ireland? Do the definitions adopted by both jurisdictions reflect the regional or international standards? If not, why not?*
- *What are the key law enforcement strategies and measures being adopted in these two jurisdictions, including those relating to protection and promotion of human rights?*
- *What provision is there to facilitate cross-border co-operation?*
- *What are the factors affecting the effective prevention and suppression of organised crime? Are these factors common to both jurisdictions or particular to one?*
- *What challenges are posed to the protection of the human rights of those suspected of organised crime and its victims as well as the general public?*
- *Is there a strong link between organised crime and terrorism, particularly in Northern Ireland? Are the law enforcement responses adequate to address this nexus?*
- *In light of the devolution of powers relating to criminal justice and policing in Northern Ireland, what are the key challenges facing authorities from both jurisdictions, particularly in relation to cross-border co-operation?*

- *How are the regional (EU law) and international (UN Convention) standards implemented in practice at the national level?* (Obokata et al 2014, p.1).

The paper highlighted differences between different definitions of organised crime between LEAs, between jurisdictions and between national and international legal documents. However, the PSNI and Garda Siochana had no difficulty in distinguishing between organised crime and other crime at the operational level but there was a lack of clear identification of OCGs, especially transnational OCGs. There was also need for clarity on legislation around THB including trafficking for forced labour to ensure full protection of human rights, but the research acknowledged this was under review in Ireland and Northern Ireland. The paper welcomed the introduction of the Modern Slavery Bill before parliament in December 2013 (Obokata et al 2014).

The NCA was new to the UK at the time of the research and subject to objection on grounds of accountability by some political parties in Northern Ireland. However, the already existing Organised Crime Task Force (OCTF) was found to be key to '*facilitating inter agency co-operation*' (Obokata et al 2014, p.4). The OCTF was made up of representatives from the PSNI (OCB) and various government agencies. There was no similar task force in Ireland, but several agencies worked together to respond to organised crime. There were several differences between Northern Ireland and Ireland on the oversight of covert policing activities, particularly no legislation to underpin the use of Covert Human Intelligence Sources (CHIS) in Ireland. Even though there was no concern about how such policing methods were being used Obokata et al (2014) recommend greater oversight in the paper.

There was positive cross border co-operation on investigation of TNOC, with informal local contact and formal use of European Arrest Warrants and ILOR for parallel investigations by the PSNI and Garda Siochana. The OCTF in Northern Ireland also have a working party subgroup overseeing THB and that subgroup includes a representative from Ireland. However, the paper recommended more use of JITs, use of Eurojust facilities, increased cross border surveillance and the setting up of a cross border multi-agency task force to respond to TNOC (Obokata et al 2014).

Overall good efforts were being made in Northern Ireland and Ireland to reduce local and transnational organised crime. However, the research by Obokata et al (2014) recommended more engagement with the public through community policing to raise public confidence in reporting and helping to prevent organised crime.

What method of evaluation research was used (including Maryland Score)?

Like other papers evaluated for the REA, this research comprised a mixture of desk top research and semi structured interviews. Academic, legislative, Government and NGO papers were analysed together with the interviews of 90 stakeholders from the Northern Ireland and Irish CJS and civil society organisations (Obokata et al 2014). **Maryland Score of 1.**

What type of investigative intervention has been researched?

The research studied several TNOC investigations and sort to highlight ones that were considered positive due to people being brought to justice through good transnational investigation by the PSNI and Garda Siochana working together and with other agencies. There are no forced labour investigations highlighted, however Operation Quest is cited as good evidence of a transnational investigation between Ireland and Northern Ireland of THB for prostitution. The operation resulted in five arrests (Obokata et al 2014).

There is no indication of a JIT being the investigative method deployed to investigate Operation Quest. There are indications of the PSNI being a party to JITs with other EU states and the only time a JIT investigation is cited is one between Northern Ireland and Sweden to investigate THB but there are no details given. There is plenty of evidence in the research of legislative and policy opportunities to make more use of JITs but for some reason the emphasis appears to be on the use of ILORs, European Arrest Warrants and direct informal contact between PSNI and Garda Siochana officers. In fact, the paper makes a point of emphasising the positive culture that exists between officers from both police services:

'The key to successful cross-border co-operation is the ability to build a good personal/working relationship, and it is important to highlight here that the law enforcement communities in both jurisdictions have been able to do that' (Obokata et al 2014, p.49).

How has the investigation safeguarded modern slavery victims?

There was a lack of protection for victims of THB through legislation, which is one of the reasons why the Modern Slavery Bill was welcomed for the UK. This does not mean victims are not being detected. Operation Quest resulted in the rescue of 3 victims of human trafficking. However, there is no further detail supplied on them by Obokata et al (2014) and there were reports at the time of the investigation that the PSNI and Garda Siochana were not distinguishing between prostitutes operating independently and those being trafficked (McDonald 2012).

Which OCGs are involved?

THB was one of several crimes prevalent to local and transnational organised crime in Ireland and Northern Ireland, alongside drug trafficking, armed robbery, currency counterfeiting, fraud and money laundering. There are several transnational OCGs operating across the Northern Ireland/Irish border. Many are engaged in excise fraud through cigarette smuggling and laundering of diesel and have links to Loyalist and Republican terrorist groups. The involvement of such terrorist groups in organised crime makes it difficult to employ covert tactics because of increased security risks and difficult to gather information because of a '*culture of fear*' (Obokata et al 2014, p.12).

There was evidence of Eastern European, West African and Chinese transnational OCGs appearing in Ireland and Northern Ireland and of local OCGs making links with transnational OCGs from the Netherlands, Spain, Malaysia and Cambodia (Obokata et al 2014). However, there is little mention of the make-up of transnational OCGs involved in THB other than to say they are largely made up of foreign nationals. There was a suggestion of Polish nationals being involved in Operation Quest (McDonald 2012).

How has the investigation disrupted the activity of OCGs?

There is no mention of how Operation Quest disrupted the OCG involved other than the five arrests that were made. Also, further research by the REA research team found 3 women had pleaded guilty to running a brothel (McDonald 2012). However, Okobata et al's (2014) paper does question the limits of using the disruption of an OCG as a measure for the impact of an investigation. It states that it should go further and draw quantitative and qualitative evidence of the wider cultural, social and economic impact.

What other relevant themes, if any, have been drawn out from the research that are relevant to answering the REA Central Research Question (CRQ)?

The research evidenced the need to develop a greater understanding of transnational OCGs by breaking down the language barrier. This should be achieved by recruiting a more diverse work force to work on investigations involving foreign nationals and putting resources into recruiting professional interpreters (Obokata et al 2014).

There is evidence throughout Obokata et al's (2014) paper of OCGs looking for loopholes in the law and acquiring more sophisticated techniques to frustrate investigations into TNOC. This is a recurring theme of competitive adaptation identified in other areas of research into organised crime and the policing of it (Severns 2015).

Human rights is raised as a recurring issue by Obokata et al's (2014) paper, particularly in relation to suspect rights and covert policing. The difference in the application of human rights between different countries, such as Ireland and Northern Ireland, must prove contentious when setting up JITs and ensuring the integrity of shared intelligence and evidence gathering.

6.5 Silverstone and Brickell (2017). '[Combating modern slavery experienced by Vietnamese nationals en route to, and within, the UK.](https://www.antislaverycommissioner.co.uk/media/1159/iasc-report-combating-modern-slavery-experience-by-vietname-nationals-en-route-to-and-within-the-uk.pdf)' [online]. Independent Anti-slavery Commissioner, APS Group on behalf of HMSO. Last accessed 5th April 2019 at: <https://www.antislaverycommissioner.co.uk/media/1159/iasc-report-combating-modern-slavery-experience-by-vietname-nationals-en-route-to-and-within-the-uk.pdf>

Background to this paper

The paper examines the nature and scale of modern slavery experienced by Vietnamese nationals trafficked to the UK. The research was commissioned by the Independent Anti-Slavery Commissioner (IASC) in 2016. The IASC is one of the key provisions of the Modern Slavery Act 2015. The main objectives of IASC is to increase in the identification of modern slavery victims and ensure that victims are supported. In addition, the IASC should advocate for an increase in the prosecution and conviction of modern slavery offences (IASC, 2019a).

In addition to experiences, the report explored a range of issues including the push-and-pull factors that draw Vietnamese nationals to the UK and the channels through which they are exploited by OCG. Many are pushed towards being victims by social and economic factors that exist in Vietnam and pulled to the UK by family contacts, established tracking routes and the promise of better wages. As a result of these factors, some arrange their own travel to the UK using '*smuggling agents*' and they pay between £10000 and £33000 for the service (Silverstone and Brickell 2017, p.8). Those paying cheaper prices take the long slow route and become victims of trafficking as they are subjected to labour and sexual exploitation along the way in China, Russia, France and the Czech Republic. Other victims state they are kidnapped or conned and trafficked and exploited along similar routes. Their final stopping off point before the UK is France. Once in the UK the victims were subjected to modern slavery, mainly forced labour cultivating cannabis or working in nail bars, with some exposed to sexual exploitation. This paper quite clearly shows that whilst there are differences between people smuggling and people trafficking, someone who is being smuggled at their own instigation can soon end up being trafficked into modern slavery (Silverstone and Brickell 2017).

There are indications of limitations with the NRM data. The published statistics where non-EEA nationals are concerned cannot fully be relied on thus having serious implications on understanding the problem of Vietnamese nationals being trafficked to the UK for labour exploitation (Silverstone and Brickell 2017).

What was the expected theory of change and to what extent has it been achieved?

In respect of the research, there was a need to develop knowledge to fully understand the problem of Vietnamese nationals being trafficked to the UK for labour exploitation in order to improve the response and prevent and detect such offences of modern slavery. Between 2009 and 2016, 1747 Vietnamese nationals were referred to the NRM; 65% were males, mainly potential victims of THB for labour exploitation. They were the second highest in the rank of nationalities referred in 2016 (Silverstone and Brickell 2017).

As with most of the research evaluated for the REA, investigations were researched in the Silverstone and Brickell (2017) paper to evaluate the impact of them on disrupting OCGs and rescuing victims from exploitation. As a result of the research several detailed

recommendations were made framed around the Great Britain, Home Office (2014) Pursue, Prevent, Protect, Prepare themes of the UK Modern Slavery Strategy. They are:

- *Pursue by developing a memorandum of understanding between the UK and Vietnam, developing UK law enforcement investigation and collaboration and training of Vietnamese LEAs and immigration officials by specialists (p.61).*
- *Prevent by redesigning the NRM data system, researching and debriefing Vietnam based modern slavery offenders and regulating labour brokers in Vietnam (p.63).*
- *Protect by regulating the UK nail bar industry and targeting prevention programmes and strategic communication campaigns in Vietnam (p.64).*
- *Prepare by more effective use of modern slavery data and analysis, reviewing the age assessment process, improving police training, continue to deliver judicial training, enhancing support services for Vietnamese victims in the UK and those who have returned to Vietnam and developing a biometric database in Vietnam (p.65).*

What method of evaluation research was used (including Maryland Score)?

Comprehensive research was carried out to draw a mix of qualitative and quantitative data for analysis by Silverstone and Brickell (2017). The design was again, cross sectional (King and Wincup 2007). Data was gathered from NRM statistics and files on 75 Vietnamese victims. 61 semi-structured interviews were completed with UK and Vietnamese stakeholders and 11 life history interviews were completed with Vietnamese victims. A detailed methodological explanation is provided in the appendices which assesses the strengths and weaknesses of the different data sources (including the interviews). Bias is discussed in relation to data provided by victims to the NRM. It is not fully reliable due to victims possibly having been coached to provide explanations that are favourable to them or victims providing accounts whilst suffering from trauma. Nevertheless, NRM decisions are made on

the balance of probabilities that disclosures are correct and there are recurring (sometimes corroborated) themes that do help provide a rich picture (Silverstone and Brickell 2017).

Maryland score of 1.

What type of investigative intervention has been researched?

Due to the exploitation of victims to modern slavery in maintaining cannabis grows, Silverstone and Brickell (2017) have considered the police investigation of cannabis cultivation in general in researching for their paper. It was found that such investigations are few and far between as cannabis is a class B drug. As such, it is not a priority for police investigation and does not attract full investigative resources that trafficking in class A controlled drugs or other commodities does. Any investigation tends to be reactive to the discovery of a grow and is restricted to prosecution of those found tending the crop. Some of those tending the crop are doing it willingly, making good money and falsely claim to be trafficked minors to avoid prosecution under the auspices of the Modern Slavery Act 2015. However, many tend to be THB victims held as slave labour and usually Vietnamese minors (aged 15 to 18) or otherwise vulnerable.

The paper does mention one modern slavery investigation into exploitation at a nail bar in Bath and elsewhere (Silverstone and Brickell 2017), but it does not go into detail and does not mention any transnational aspect to the investigation. Other research for the REA indicates this was a national investigation involving Avon and Somerset police, the NCA and other UK police forces. It resulted in imprisonment of Thu Huong Nguyen (*known as 'Jenny'*) for 5 years '*conspiracy to arrange or facilitate the movement of people to perform forced or compulsory labour and conspiring to require others to perform forced or compulsory labour*'. Viet Hoang Nguyen (*known as 'Ken'*) and Giang Huong Tran (*known as 'Susan'*) were convicted of similar offences. Nguyen was imprisoned 4 years and Tran received a two-year suspended sentence (Petherick 2018).

Whilst not researching investigation or the use of JITs Silverstone and Brickell (2017) do make recommendations in respect of making investigation of cannabis grows a higher priority for the police. In addition, as well as again making recommendations to train front line UK police officers to recognise the signs of THB and modern slavery, they suggest a memorandum of understanding between the UK and Vietnam on training for Vietnamese

LEAs. Where appropriate, use should be made of JITs involving the UK, other relevant EU countries and Vietnam as a third country to investigate THB and modern slavery (Silverstone and Brickell 2017).

How has the investigation safeguarded modern slavery victims?

THB victims ending up tending cannabis grows in the UK and detected by the police do not always end up avoiding conviction, under the Modern Slavery Act 2015 statutory defence. Many are still prosecuted or held on remand for long periods whilst their case comes to court. Overall, though, 370 Vietnamese victims received positive referrals between 2009 and 2016 (Silverstone and Brickell 2017).

Which OCGs are involved?

Organised crime groups are discussed in general. There are various OCGs involved in a loose network starting with the '*smuggling agent*'. Such illegal agents operate in Vietnam alongside legitimate migrant brokers. They offer false travel documents, direct flights to France and onward travel to the UK for a premium price or travel via air to Moscow followed by clandestine travel to the UK via France and the channel routes hidden in vehicles and arranged by Kurdish OCGs. The agents promise high paid jobs to the willing travellers, but on arrival in the UK no such jobs exist, and they tend to be subjected to labour exploitation (Silverstone and Brickell 2017).

Use of a 'smuggling agent' and starting as an illegal migrant appears to be how most trafficked victims start out, either contacting the agents themselves or through family and friends or being approached to use the agents by strangers. Some victims claim to have been kidnapped and then trafficked, but it is not clear how that happens and is considered an expensive undertaking for any OCG who would have to pay to move the victims to the UK. This would not be a rational choice to make as there are many who have the funds and are willing to pay to make the journey or who are willing to enter debt bondage to do so (Silverstone and Brickell 2017).

The whole smuggling and trafficking operation from Vietnam to the UK appears to be facilitated by Vietnamese nationals who enter into agreements with such as the Kurdish OCGs along the way. There is also indication of Chinese, Russian, Polish and British criminals being involved along the route, but it is not clear to what extent OCGs are involved in any exploitation experienced on the journey. Once in the UK labour is facilitated by Vietnamese nationals living in the UK, and some are subjected to modern slavery in nail bars and in illegal cannabis grows (Silverstone and Brickell 2017).

The illegal cannabis grows are run by both Vietnamese individuals and loose Vietnamese OCG networks stretching across the UK. They do not generally become involved in other crime such as trafficking in class A controlled drugs, robbery or firearms use and trafficking. There is some evidence of violence between growers and when cannabis grows are 'robbed' by non-Vietnamese OCGs, but they are few and far between. There is, however, evidence of coercive violence towards those who are trafficked and installed in cannabis grows to tend the crop (Silverstone and Brickell 2017).

How has the investigation disrupted the activity of OCGs?

The paper does not examine how any investigations have disrupted specific OCGs, other than the critique of how cannabis cultivation is investigated and the brief mention of the Bath nail bar modern slavery investigation (Silverstone and Brickell 2017). Both are discussed above.

What other relevant themes, if any, have been drawn out from the research that are relevant to answering the REA Central Research Question (CRQ)?

The paper evidences that NRM data is not always reliable and the process is slow. The process is under review and should provide a more reliable picture of THB and modern slavery which should be used to brief individual police forces to encourage more proactive investigation (Silverstone and Brickell 2017).

6.6 Cooper et al (2017). '[A Typology of Modern Slavery Offences in the UK.](https://www.antislaverycommissioner.co.uk/media/1190/a-typology-of-modern-slavery-offences.pdf)' [online]. Home Office. Last accessed 5th April 2019 at: <https://www.antislaverycommissioner.co.uk/media/1190/a-typology-of-modern-slavery-offences.pdf>

Background to this paper

The research report was published by the Home Office in October 2017 following research by the Home Office Modern Slavery Research Team to establish typologies of modern slavery. It met with the requirements of the UK Government Modern Slavery Strategy 2014 to develop an understanding of modern slavery. Under the Modern Slavery Act 2015 for England and Wales and similar legislation in other parts of the UK, modern slavery includes the offences of THB, slavery, servitude and forced or compulsory labour (Cooper et al 2017).

There are several types of modern slavery that make up the different offences, involving various victims, offenders and places. This research by Cooper et al (2017) identified 17 types of modern slavery existing in the UK. By understanding such typologies, it is possible

to prevent offences taking place or to recognise the offence early and to intervene and disrupt the crime by protecting victims and bringing offenders to justice.

The researchers recognised that modern slavery was and continues to be a dark crime. Therefore, the research was exploratory. Nevertheless, it provided a more detailed understanding of the existence of modern slavery in the UK. It was considered by the Modern Slavery Act 2015 review team when they were making recommendations to the Government about legislation and published guidance on new and emerging types of modern slavery (Great Britain, Home Office 2019b).

What was the expected theory of change and to what extent has it been achieved?

Given that modern slavery is a broad term and encompasses a wide range of offences, the research sought to create an evidence driven typology of modern slavery offences in order to improve understanding of the various ways in which modern slavery presents itself in the UK. This is intended to inform policy and legislation as well as operational responses to the issue at hand (Cooper et al 2017).

The research utilises data sources of confirmed modern slavery cases in the UK. Seventeen types of modern slavery offences were identified. Four underlying dimensions (recruitment, profit, organisation and control) were identified as being central to understanding how modern slavery manifests itself (Cooper et al 2017).

The typology presents a systematic framework that characterises modern slavery in the UK. It allows for an understanding of the various ways of offending and the experiences victims of modern slavery. Although the research utilises UK data, given the nature of modern slavery, it is important to note that the approach can be adapted to incorporate other countries. The 17 typologies are examined in more detail under the OCG questions of Cooper et al's (2017) research to enable their research to be synthesised with findings from other papers in the REA. In summary they were identified by Cooper et al (2017, p.11) as:



Labour exploitation

- 1 Victims exploited for multiple purposes in isolated environments
- 2 Victims work for offenders
- 3 Victims work for someone other than offenders



Domestic servitude

- 4 Exploited by partner
- 5 Exploited by relatives
- 6 Exploiters not related to victims



Sexual exploitation

- 7 Child Sexual Exploitation – group exploitation
- 8 Child Sexual Exploitation – single exploiter
- 9 Forced sex work in fixed location
- 10 Forced sex work in changing location
- 11 Trafficking for personal gratification



Criminal exploitation

- 12 Forced gang-related criminality
- 13 Forced labour in illegal activities
- 14 Forced acquisitive crime
- 15 Forced begging
- 16 Trafficking for forced sham marriage
- 17 Financial fraud (including benefit fraud)

The typologies clearly enhanced the understanding of the problem and in turn they could be used to enhance the response by:

- *“Developing a toolkit for frontline staff and agencies in the UK, which could include indicators of modern slavery and practical opportunities to tackle each type of modern slavery.*
- *Adapting the typologies for use in other countries, to help to build up a global picture of the nature of modern slavery.*
- *Providing a basis for further data collection and research, to gain a better understanding of the prevalence of each type of modern slavery” (p.vi).*

Cooper et al (2017) do not set out to examine the change brought about by specific investigative interventions. However, by examining different cases they provide relevant evidence on the investigative interventions.

What method of evaluation research was used (including Maryland Score)?

The literature on modern slavery was found to be lacking. Cooper et al (2017, p.5) cite Weitzer on the lack of literature who states:

“Human trafficking has generated a tremendous amount of public attention throughout the world ... much of the discourse, policymaking, and enforcement has lacked an evidence basis, because so little high-quality research has been done on the topic.”

To help fill the gaps staff from 3 police forces were interviewed about their experience of the different types of modern slavery. The research team then analysed 328 cases of modern slavery taken from the NRM data base and court files alongside previous research and existing academic literature. The analysis was qualitative and identified core features of the offences identified in the case data. The core features were taken from 140 variables covering victims, offenders, recruitment, transportation, exploitation and case outcomes. The resulting typologies were tested in forums with practitioners, policy makers and academics before being published and were expected to generate further development through wider discussion; including discussion in papers such as this REA and as part of research such as the ongoing *Doubrava* research (Cooper et al 2017). **Maryland score of 1.**

What type of investigative intervention has been researched?

There are a variety of investigative interventions evidenced as case studies in the paper, from local UK based reactive investigations of individuals to transnational investigations of transnational OCGs. As this REA is focusing on transnational investigations and the use of JITs as an intervention to disrupt modern slavery detail of investigations with a transnational element have been drawn from Cooper et al's (2017) paper for further analysis.

As part of a proactive operation by Police Scotland's National Human Trafficking Unit (NHTU) and Home Office Immigration Investigation, a Vietnamese national was investigated for trafficking two adult females and a 16-year-old male into the UK between 2013 and 2015 to work in his nail bar in Bathgate in Scotland. The three victims lived in the offender's private house and were coerced through debt bondage to work in the nail bar for little pay. The offender received 12 months imprisonment. The 16-year-old travelled to the UK on board trucks (Cooper et al 2017).

A Lithuanian woman claiming to be previously trafficked herself and part of an OCG who took all her criminal profits, was investigated in Cambridgeshire. There is little information on the type of investigation, other than it was reactive to concerns raised by a school about the child of one of the victims. Neither is there any information on conviction, but the woman was found to have trafficked 9 Lithuanian men and 2 Lithuanian women into Cambridgeshire to deliver, collect and sort charity bags for a charity that claimed to have no knowledge of any exploitation. The victims were paid £25 a week but charged £50 a week rent for squalid accommodation (Cooper et al 2017).

The PSNI carried out a reactive investigation following a complaint by a victim. A three-person local Romanian OCG was investigated for trafficking 22 economically vulnerable Romanian men into Northern Ireland to work in Armagh. They undertook agricultural work on a contract basis for businesses who were not aware of the exploitation. The victim's passports were removed, and they were coerced through debt bondage and threats of violence. They were housed in cramped conditions and supplied minimal food and little pay. The primary offender made £1000 per week in criminal profit and was sentenced to 2.5 years imprisonment. Another offender was given a conditional discharge for time already served and the third was given a suspended sentence (Cooper et al 2017).

A local reactive investigation was undertaken into two Polish brothers living in Nottingham following a victim report to an employment agency supplying staff to work at Sports Direct in Shirebrook, Derbyshire. The men trafficked 18 vulnerable Polish men into the UK by employing spotters in Poland to supply them with coach tickets to the UK. They were housed in squalid conditions in Nottingham and coerced with threats of violence. The offenders helped the victims open bank accounts and then took control of the bank cards to withdraw £35000 for themselves from the victims' incomes between 2015 and 2016. They were sentenced to 6 years imprisonment each (Cooper et al 2017).

A local reactive investigation was undertaken by the MPS after a victim of domestic servitude complained to them. The victim a Tanzanian woman had been trafficked into London from Tanzania by another Tanzanian woman working in London as a scientist. Travel and visas for the victim were arranged by the offender's family and the victim was made to live in cramped conditions with the offender, her children and a lodger. She cooked, cleaned and looked after the children 19 hours a day for no pay. The offender was sentenced to 6 months imprisonment and made to pay £3000 compensation to the victim (Cooper et al 2017).

The PSNI and the Swedish police drew up a JIT facilitated by Europol and Eurojust and undertook a two-year investigation into a male and a female Romanian offender. The two offenders worked together between 2011 and 2013 and profited from trafficking 13 female victims between Romania, Sweden and Northern Ireland to be forced to work in brothels providing sex to up to 20 men a day. The offenders were initially arrested and sentenced to 4 years imprisonment in Sweden and then, in 2016, they were extradited to Northern Ireland and were sentenced to 2 years imprisonment there (Cooper et al 2017).

A local proactive police investigation was undertaken after a victim disclosed to a charity that her and another woman had been trafficked to Cardiff from the Czech Republic for sex work. The offenders, a Czech man and his Romanian girlfriend were imprisoned to 31 months and 15 months imprisonment respectively. They paid the victims' air fares and transported them around the South East for sex work for which the victims received little pay and had to pay a large proportion of their pay to the offenders for 'expenses' (Cooper et al 2017).

A proactive police investigation involving the NCA working together with the CPS to arrange an arrest by the Czech police of Czech national offender, resulted in the imprisonment of one man for 8.5 years, his girlfriend was imprisoned for 7.5 years and the Czech national was imprisoned for 9.5 years. The offenders worked together and trafficked two women from the Czech Republic into the UK and a further woman between Gloucester and Bristol and forced them to work as prostitutes, taking most of their earnings and coercing them using threats of violence. None of the victims could speak English (Cooper et al 2017).

A proactive investigation by police in the UK and elsewhere into an OCG trafficking Romanian nationals into the UK and elsewhere between 2007 and 2008 for forced criminality identified a 13-year-old female Romanian victim. The victim's father paid the OCG to put her to work. She lived with a couple in Slough and was exploited by them for domestic servitude, looking after their children. She was driven to another town 5 days a week to sell old copies of a charity magazine. She received no pay and was poorly clothed and fed. Three people were convicted in the UK as a result of her evidence, including her father who was sentenced to four years imprisonment (Cooper et al 2017).

As a result of a complaint by the victim to the UK police and her mother alerting the police in Hungary, a reactive investigation resulted in a Slovakian man receiving two years imprisonment, one Pakistani man 20 months and another who was arrested in Germany received 3 years imprisonment. After answering an online advert for a London based babysitter and passing a phone interview the victim was met in Budapest by the three offenders. They drove her to Slovakia and then accompanied her to London on a coach, taking her mobile phone and threatening and intimidating her into complying with them. She was kept supervised at several addresses in Manchester and Chorley before being sold for marriage. The police intervened before the marriage took place (Cooper et al 2017).

These case studies are used to demonstrate elements of the typologies and will be linked to specific typologies for the REA analysis in answer to the OCG involvement. As already stated, the research did not focus on types of investigation, so details are lacking. However, some evidence of transnational investigation, evidence gathering, or action is provided to enable analysis for this REA.

How has the investigation safeguarded modern slavery victims?

There are no specifics on how the victims in the investigations highlighted from Cooper et al's (2017) research have been supported. However, from those investigations 72 victims have been identified. All appear to be non-UK citizens, mainly from European countries and there is evidence that some appear to have returned to their own countries after being rescued from slavery.

Which OCGs are involved?

Specific mention is made, in the investigations highlighted, of OCGs involving nationals from Romania, the Czech Republic, Pakistan, Slovakia and Lithuania, some with family or other familial connections and some working with different nationalities including possibly UK citizens; although they are not specifically described as such. Many of the typologies drawn from the investigations highlighted above and the analysis of all the 328 cases researched can be adapted to various OCGs operating in various countries and on a transnational basis to show how they operate. All the typologies are described here to provide a full understanding of modern slavery and to show where and how TNOC is involved:

“Typology 1 is Labour Exploitation where victims are exploited for multiple purposes in isolated environments”. The victims tend to be vulnerable males who are homeless, and some have mental or physical difficulties. They are subjected to physical and verbal abuse, live in poor conditions and tend to be only found after several years of exploitation. The offenders have been found to be adults originating from the UK, Ireland or Slovakia and many were from the travelling community. They tend to be related but strangers to the victims to whom they offered work, but they deceived them about the level of pay. Victims are recruited abroad by the offenders, who arrange travel into the UK and then move the victims to different locations in the UK, sometimes selling them on. Exploitation is by working directly for the offenders in rural areas doing agricultural work, construction, laying drives and doing domestic chores. Victims receive little or no pay and live in outdoor structures or caravans owned by the offenders, with little or no sanitation. Apart from control by physical and verbal abuse, any substance they are dependent on is restricted as is their movement. Some are given extended freedom but are subjected to emotional control or fear reprisals, so they do not escape (Cooper et al 2017, p.13).

“Typology 2 (evidenced by the investigation involving the Vietnamese national and the one involving the Lithuanian woman) is Labour Exploitation, where victims work directly for the offenders”. The victims tend to be adult males from a variety of countries working for individual or multiple offenders some of who are organised gang masters controlling large numbers of victims over multiple or single sites. Others control smaller numbers of victims who live and work with them and are subjected to multiple exploitation. They are controlled by debt bondage backed up by threats and use of violence, live in overcrowded or cramped conditions and are recruited in person, on the phone or online in their countries of origin. Not

all are deceived about their conditions and exploitation, but some are deceived about earnings. The offenders tend to be male adults of the same nationality as the victims but strangers to them. They arrange a variety of transport for the victims depending on country of origin. Labour exploitation is in construction, cleaning, factory work, agriculture, restaurants, nail bars and car washes for long hours with little or no pay. Some victims are used by offenders for benefit fraud (Cooper et al 2017, p.15).

“Typology 3 (evidenced by the investigation involving the three Romanians trafficking people into Northern Ireland and the Polish brothers trafficking people who worked for Sports Direct) is Labour Exploitation, where victims work someone other than the offenders”. The victims are mainly adult males from various countries, mainly Hungary, Lithuania, Poland and Slovakia and some from Moldova, Myanmar, Vietnam and Zimbabwe. They are employed in legitimate jobs working for someone other than the offenders, but the offenders control victim bank accounts. Victims are dependent on the offenders for food, transport and accommodation. Offenders are strangers to their victims but tend to be from the same country. Offenders tend to be related to each other and involved in recruitment, transportation and exploitation. Recruitment is in the country of origin on promise of decent wages and conditions and the main transport route is from Europe by car or minibus via the port of Dover into the UK. Victims are then employed in low skilled jobs on temporary contract via employment agencies. Offenders control victims by controlling their bank accounts and use of violence (Cooper et al 2017, p.17).

“Typology 4 is Domestic Servitude where the victim is exploited by the partner”. This is usually one offender on one victim. There are no direct OCG connections in this typology, but it is included in summary form to highlight modern slavery is not all organised crime; it can be just as serious one on one (Cooper et al 2017, p.19).

“Typology 5 is Domestic Servitude where the victim is exploited by relatives”. Again, there are no direct OCG connections in this typology, but it is also included in summary form to highlight modern slavery is not all organised crime; victims can be exploited by and trafficked between their own relatives (Cooper et al 2017, p.21).

“Typology 6 (evidenced by the investigation of the Tanzanian woman in London) is Domestic Servitude, where the exploiters are not related to the victim”. This typology involves victims

who are strangers or known to the offenders. They are introduced to the offenders by acquaintances of both. The offenders tend to be single or couples and they alone do the exploiting and arrange travel from the country of origin. There is little evidence of any organised crime. It is again, included for continuity in understanding modern slavery and to evidence the different investigative responses (Cooper et al 2017, p.23)

“Typology 7 is Sexual Exploitation which is child sexual exploitation – group exploitation”.

Again, this is included for continuity to enhance the understanding of modern slavery and the response. It is organised crime but does not tend to be a transnational organised crime. It involves mainly UK citizens as victims and offenders but does include some foreign nationals who are victims and offenders who originate from a variety of countries but are already resident in the UK when they are recruited, transported and exploited (Cooper et al 2017, p.25).

“Typology 8 is Sexual Exploitation which is child sexual exploitation - single exploitation”.

This is also included for continuity to enhance the understanding of modern slavery and the response. There is no evidence of OCG involvement. It involves mainly UK citizens as offenders but does include some foreign nationals who are victims. They originate from a variety of countries but are already resident in the UK when they are recruited, transported and exploited (Cooper et al 2017, p.27).

“Typology 9 (evidenced by the JIT investigation between the PSNI and Swedish LEA and the investigation into the trafficking of 2 women from the Czech Republic) is Sexual Exploitation: forced sex work in a fixed location”. The victims are all female adults mainly from Eastern Europe, but some are East Asian or African. They are strangers to the offenders. The offenders are a mix of male and female usually related to each other, from the same country of origin as the victims, although some OCGs involved in the transnational crime are a mix of nationalities. They recruit victims in their country of origin mainly face to face but sometimes online, with false promises of good pay and conditions for sex work or by deception in relation to the nature of the work. Offenders arrange transport to the UK by air sometimes using fraudulent documentation for non-EU victims. Debt bondage, surveillance and violence or threats of violence are used to coerce the victims into sex work in brothels, private houses, massage parlours or nail bars. At best victims receive half what they earn. At worse nothing and offenders have been known to make up to £400,000 a year from the business (Cooper et al 2017, p.29).

“Typology 10 (evidenced by the investigation into the trafficking of 3 women from the Czech Republic to Bristol) is Sexual Exploitation: forced sex work in changing locations”. The victims are all female adults from a mixture of countries including Hungary, Lithuania, Nigeria, Romania, Czech Republic, Slovakia, Uganda, Vietnam and the UK. The offenders work in smaller groups, compose of male and females, some related and from the same region as the victims but occasionally there are groups from mixed nationalities. Where victims are known to the offenders it is usually at the recruitment level and usually the victims are sex workers within their country of origin; recruited on the promise of better and/or safer work. Various methods of transport to the UK are used. Once in the UK victims are controlled by confinement and violence or threats of violence. They are also subjected to debt bondage and rape by the offenders and can also be found being exploited to commit crime or for domestic servitude. They are advertised online and exploited for sex in hotels, nightclubs, client’s properties, short term rented accommodation, vehicles and on the street (Cooper et al 2017, p.31).

“Typology 11 is Sexual Exploitation: trafficking for personal gratification”. This could in some instances be construed as organised crime with a transnational element but for personal gratification rather than monetary profit. It involves UK citizens as offenders but has included Ghanaian, Latvian and Indian offenders. All are older than their victims, not usually from the same country of origin, they work alone or in groups and are strangers to the victims. The victims are young female adults some recruited, transported and exploited in the UK others recruited in their country of origin (Ghana, Kenya, Nigeria, Sierra Leone and Latvia) on the promise of employment or relationships. Transportation to the UK is arranged by the offenders. Once in the UK victims are exploited for sex in private residences, hotels or short-term rental accommodation and coerced by violence and/or confinement (Cooper et al 2017, p.33).

“Typology 12 is Criminal Exploitation: forced gang-related criminality”. Whilst this typology involves some foreign nationals mainly from Ireland, Lithuania and Poland and is organised crime, there is no obvious transnational element to it. The victims are resident in the UK, the majority are UK citizens, are a mixture of male and female, mainly children but including some vulnerable adults who are recruited, transported and exploited within the UK in the full knowledge of what they are expected to do. Offenders are usually known to the victims, there are some nationality connections and they tend to work in groups with connections to

urban gangs. Transportation is by car between urban and suburban areas or market and coastal towns to transport and/or deal drugs. Control of victims is by violence, blackmail and emotion and some receive payment or expensive gifts. Victims are known to the local authorities and the police and some are in care or on child protection plans. This type of exploitation is part of what is known as 'county lines', which is urban gangs using dedicated mobile phone lines to deal controlled drugs to suburban areas, market towns and coastal towns (Cooper et al 2017, p.35).

"Typology 13 (evidenced in more detail in chapter 7.5 by Silverstone and Brickell (2017)) is Criminal Exploitation: forced labour in illegal activities". Most victims are Vietnamese males; a large proportion are children with little or no English. The offenders are mainly Vietnamese and Chinese males but include some female recruiters; all are strangers to the victims. Recruitment is in Vietnam on the promise of work, but the victims are deceived about the type of work. Sometimes abduction and kidnap are used to coerce victims as well as confinement in houses in the UK; usually in the house where the exploitation of maintaining cannabis grows for no pay is practiced. Violence is also used to coerce victims who are transported, many covertly overland via China and Russia. There is indication of OCG involvement and 'robbing' of illegal crops by other OCGs, but it is not clear on how organised it is (Cooper et al 2017, p.37). Silverstone and Bricknell (2017) are clear that grows are run by individuals and loose Vietnamese OCG networks stretching across the UK. and that there is some evidence of violence between growers when cannabis grows are 'robbed' by non-Vietnamese OCGs, but they are few and far between.

"Typology 14 is Criminal Exploitation: forced acquisitive crime". This was not well evidenced in the NRM case files but there are indications of adult males and female children being recruited in Romania and Germany by groups of male and female offenders; some known to the victims. The victims are recruited on the promise of work but deceived as to its nature. The offenders arrange travel to the UK by land and sea. Once in the UK they are forced to pick pocket and shop lift on the promise of food and accommodation with the offenders (Cooper et al 2017, p.39).

"Typology 15 (evidenced by the investigation into the 13-year-old Romanian female victim) is Criminal Exploitation: forced begging". Again, there are not many examples or much evidence of this in the NRM cases files and only the one involving a child. However, it appears male adults with mental and physical health vulnerabilities from Britain and

Romania are recruited in their country of origin. If that is outside the UK they are flown to the UK and driven to different locations to beg under threat of violence. Any money earned (up to £50 a day) is taken by the offenders. The victims live with the offenders who are male and female adults of the same nationality to the victim (Cooper et al 2017, p.41).

“Typology 16 (evidenced by the investigation into the Hungarian woman trafficked for a sham marriage) is Criminal Exploitation: trafficking for forced sham marriages”. Once again, there are not many examples or much evidence of this in the NRM cases files. Those that are known about are female victims with mental and physical health or substance dependency vulnerabilities from the Czech Republic, Slovakia and Hungary. The offenders are a mix of nationalities, sometimes loosely connected. Recruiters and traffickers are male and females and appear to belong to local OCGs from the same country of origin as the victims and the exploiters are Indian or Pakistani males. The victims who are mainly strangers to the offenders are recruited in the country of origin mainly on the false promise of work. One did expect to marry an Indian and another was kidnapped. Transport was by land on trains, coaches and in cars. Coercion was by confinement and physical and sexual violence at all stages of the crime, which includes after the marriage. Victims were sold with their documents for £3-4500 and the marriage gives the purchasers increased immigration status in the UK (Cooper et al 2017, p.43).

“Typology 17 is Criminal Exploitation: financial fraud (including benefit fraud)”. Male and female adult victims and (sometimes) together with their children are recruited from their country of origin (Hungary, Latvia, Romania and Slovakia) by male and female offenders from the same country, operating as part of an OCG. Recruitment is on a false promise of work and the offenders arrange a variety of transport to the UK. Victims’ identities are used to claim benefits, carry out other frauds and launder proceeds of crime. Coercion is by threats of violence and financial control (Cooper et al 2017, p.45).

There are overlaps between these typologies and victims can find themselves being exploited for a variety of modern slavery. Similarly, offenders can take part in different typologies and certainly those involved in organised crime will adapt to other forms of crime at the same time as engaging in modern slavery (Cooper et al 2017).

How has the investigation disrupted the activity of OCGs?

There is evidence within the investigations highlighted, including where a JIT is used, that offenders are being disrupted by being brought to justice and sent to prison. In some cases, especially where the OCG is a tight knit small group all are convicted (Cooper et al 2017). However, the typologies described suggest on going larger scale TNOC where OCGs are loose networks which are not fully dismantled

What other relevant themes, if any, have been drawn out from the research that are relevant to answering the REA Central Research Question (CRQ)?

There is evidence of OCGs placing victims with employment agencies and a variety of businesses who claim not to know of the exploitation (Cooper et al 2017).

6.7 HMICFRS (2017). [Stolen freedom: the policing response to modern slavery and human trafficking](https://www.justiceinspectorates.gov.uk/hmicfrs/wp-content/uploads/stolen-freedom-the-policing-response-to-modern-slavery-and-human-trafficking.pdf). [online]. Last accessed 18th June 2019 at: <https://www.justiceinspectorates.gov.uk/hmicfrs/wp-content/uploads/stolen-freedom-the-policing-response-to-modern-slavery-and-human-trafficking.pdf>

Background to this paper

HMICFRS are responsible for undertaking periodic themed independent assessments on the efficiency and effectiveness of the police in England and Wales and fire and rescue services in England. HMICFRS was established in 2017 when the former HMIC took on responsibility for inspecting fire and rescue services in England. Prior to that the HMIC had been inspecting police forces in the interest of the public for 160 years (HMICFRS 2019a).

This HMICFRS (2017) report on the police response to the implementation of the 2015 Modern Slavery Act was commissioned by the Home Secretary on 28th July 2016 and published in October 2017. The inspection took place between November 2016 and March

2017. It assessed the operations of the police in England and Wales, ROCUs and the NCA for the efficiency and effectiveness of the joint response to modern slavery by those LEAs.

What was the expected theory of change and to what extent has it been achieved?

The aim of the inspection was to ensure that the police and any collaborative organisations the police establish, such as the ROCUs, were changing to provide an efficient and effective response to modern slavery. In doing so they provided an up to date analysis and developed knowledge on how the police in England and Wales and the NCA, because of their close association with the police, were responding to modern slavery. Where there were failings the HMICFRS inspectors made recommendations for further change (HMICFRS 2017).

The investigative responses by the police and the NCA were a key area of inspection and again the inspection developed a greater understanding of the investigative response to modern slavery. The recommended changes to investigations were captured in the recommendations made as a result of the inspection's findings (HMICFRS 2017).

The inspection found there had been an increased and improved response by LEAs, particularly at the regional and national level and at the local level by Greater Manchester Police (GMP) towards modern slavery and THB. However, identification of victims by the police was found to be poor as was the response, which tended towards criminalising them. Some investigations were poor with lines of enquiry not followed up and victims not interviewed. There was a lack of proactive investigation with some police officers not believing modern slavery was an issue and believing that there was a lack of support from the community for the police to prioritise modern slavery. There was an inconsistent approach to the sharing of intelligence between the NCA and the police on THB and modern slavery and this impacted on the joined up national regional and local response (HMICFRS 2017).

The inspection was put forward as a benchmark for the police and the NCA to improve the response to modern slavery, and the following time limited recommendations were made for further change (HMICFRS 2017, p.85-87):

- The NCA and ROCU to clarify their roles and responsibilities in tackling modern slavery and THB linked to organised crime at the national and international level (within 6 months).
- Police forces to review leadership and governance to ensure prioritisation of the response to modern slavery and THB, allocation of appropriate resources to every modern slavery incident, effective partnership working and co-ordination to safeguard victims and quality assurance checks are in place to check the service provided to victims (within 12 months).
- The NCA should have a process to maximise the use of NRM data and 'Duty to Notify' forms containing actionable intelligence and include auditable steps for forwarding partner agency forms to the appropriate force for investigation and ensure those forms are accurate and searchable (within 6 months).
- All forces to put in place inter-agency information sharing agreements with other agencies for safeguarding of victims and early identification of suspects (within 6 months).
- Where appropriate victims carrying out criminal acts to be afforded protection from the section 45 defence (immediate).
- All forces to be fully compliant with the NRM process and the Modern Slavery Act 2015 requirement to notify the Home Office of any suspected adult victim of modern slavery (immediate).
- All forces to be fully compliant with National Crime Recording Standards (NCRS) in respect of modern slavery and THB, including fully auditable NCRS processes (immediate).
- All forces to ensure any allegations or indications of modern slavery and THB are thoroughly investigated and effectively supervised by teams and individuals with the

required skills and experience; with the ability to obtain evidence and intelligence from agencies overseas²⁹ (immediate).

- All forces should maximise all preventative opportunities afforded by the Modern Slavery Act 2015 (immediate).
- CoP to provide all forces with validated learning products on modern slavery and THB to raise the awareness and capability of frontline staff (within 12 months).
- CoP to work towards improving knowledge and expertise of all investigators, up to Senior Investigating Officer (SIO) level, on modern slavery; including use of JITs, other methods to obtain information and intelligence from overseas and the use of prevention orders (within 12 months).

As with all HMICFRS investigations these recommendations are subject to follow up inspections by the HMICFRS to ensure the appropriate action has been taken.

What method of evaluation research was used (including Maryland Score)?

To gather data for the inspection the HMICFRS inspection team analysed documents and returns from all English and Welsh police forces, reviewed previous HMICFRS reports, cross referenced public agency data on modern slavery and THB, reviewed case files, interviewed staff in ten police forces, conducted focus groups, visited four of the ten ROCUs, visited the NCA and interviewed national policing leads and experts associated with modern slavery and THB (HMICFRS 2017). **Maryland score of 1**

What type of investigative intervention has been researched?

²⁹ The report talks at this point of using joint intelligence teams, but this may be a typo and should in fact refer to Joint Investigation Teams (JITs). This occurs elsewhere in the HMICFRS (2017) report as well (Researcher observation).

The inspection examined a range of investigative interventions and “*found that the larger investigations were generally managed well*” (HMICFRS 2017, p.11), especially where the response was via serious and organised crime teams and partnership working. The well managed investigative responses included the use of covert policing to dismantle OCGs and effective support for victims. Best practice included the use of specialist modern slavery and THB teams to investigate offences and train and guide other officers on the Modern slavery Act 2015. GMP had trained 52 modern slavery tactical advisers, supported by a dedicated modern slavery team, to give round the clock advice on modern slavery investigation. However, the well managed investigations and the best practice were not the norm (HMICFRS 2017).

Many investigations were poorly managed without the requisite oversight. Failings included, closing cases too early without speaking to victims and witnesses or following up lines of enquiry, delayed investigations of up to 8 months, lack of supervision, lack of focus on safeguarding victims, lack of co-ordination between forces leading to delayed investigations and difficulty in keeping contact with victims relocated through the NRM. Victims were referred for immigration investigation and other enforcement without consideration for their victim status and any vulnerabilities (HMICFRS 2017).

Overall, the inspection evidenced, “*the need to improve considerably the handling and oversight of many investigations*” (HMICFRS 2017, p.13).

The NCA were found to be running 800 operations at the time of the inspection. Modern slavery, which was designated a national priority for intelligence gathering in November 16, was apparent in 11 of those operations. NCA investigations prioritise crime presenting the greatest risk and generally those crimes involve transnational investigation. The NCA also provide specialist tactical advisers from the MSHTU to support UK police forces on modern slavery and THB, as well as access to a network of NCA ILOs, based in various countries and at Europol. ROCUs operate at the regional level within England and Wales taking on investigations that are more complex or cross one or more police force areas³⁰ and were receiving these investigations through the regional tasking process. The inspection found ROCU investigations to be well resourced (HMICFRS 2017).

³⁰ This was known as level 2 activity under the National Intelligence Model (NIM), whereas national and transnational criminal activity was NIM level 3 and criminal activity within a police force area or a Basic Command Unit (BCU) area within a force was known as NIM level 1. However, this terminology appears to be used less within policing (Researcher observation).

As identified in by the MSPTU (2019) the HMICFRS (2017) inspection pointed to the increase in police investigations of modern slavery. Investigations rose from 188 in December 2016 to 314 in July 2017. Some forces introduced specialist modern slavery teams and some targeted specialist capabilities towards modern slavery investigations. There was a high degree of commitment in the specialist teams (HMICFRS 2017). This may point to the existence of a clear '*willing and able*' culture that needs to be nurtured (Heeres 2012, p112), but according to some investigators there was a lack of commitment at the strategic level probably because complex modern slavery investigations require a commitment of resources that leaves other investigations stretched (HMICFRS 2017). ([See recommendation 6](#)).

The inspection did find some good investigations and identified the need for a serious organised crime investigative approach to modern slavery, with a priority to protect vulnerable victims. One carried out by Cumbria Police where a victim reported modern slavery and THB at a car wash to a police station. Within two hours, a major investigation was in operation. Three victims were identified and safeguarded and evidence of possession of firearms, smuggling of goods and money laundering was found. The force serious and organised crime unit took over the investigation and worked with the HMRC and trading standards to bring the offenders to justice, without having to use the victims to give evidence (HMICFRS 2017).

In another case there was a failure to do basic investigation into a complaint received from a pregnant Eastern European female victim. As a result, urgent steps to engage in transnational investigations via the NCA and Europol potentially meant a named person was, "*continuing to kidnap women and facilitate their trafficking into the UK (and elsewhere) for the purposes of prostitution*" (HMICFRS 2017, p.65). There is a need to ensure transnational investigations take place and the police need to have the ability to support transnational investigations (HMICFRS 2017).

At the time of the inspection there were 19 JITs in operation, 17 led by five police forces and 2 led by the NCA. There is a brief discussion in the HMICFRS (2017) report on regular links with Romanian police and ROCU staff requesting more training on transnational investigation, including the setting up of JITs. However, there is little detail on JITs apart

from a reference to a CoP manual dating back to 2011 and an apparent misrepresentation of JITs as joint intelligence teams, which suggests a lack of knowledge amongst the HMICFRS inspection team on JITs.

How has the investigation safeguarded modern slavery victims?

The police failed to always identify victims of modern slavery and THB and failed to take appropriate steps to protect potential and actual victims. There was a lack of confidence in the police to recognise victims and there was an uncertainty about how to deal with and advise victims. There was also several months delay in some cases before any investigation or safeguarding took place. Overall, the inspection evidenced, "*that many victims of modern slavery and human trafficking receive a wholly inadequate service from the police*" (HMICFRS 2017, p.13).

Where good practice was identified, as in the Cumbria case, a police officer was assigned to maintain regular contact with the victims. All three who were rescued, returned to their home country and steps were taken to bring a '*victimless prosecution*' under the Modern slavery Act 2015 (HMICFRS 2017, p.64).

Which OCGs are involved?

There is very little mention of OCGs in the HMICFRS (2017) paper other than to say that there is a lack of local understanding of OCG involvement in modern slavery. Evidence from within police forces suggest this should come from the NCA who take information and intelligence from forces but disseminate little intelligence or knowledge in return.

There is mention of a high degree of involvement of Romanian criminals in modern slavery (HMICFRS 2017) and there are indications of this in other research evaluated for this REA. However, there is no indication of whether the Romanian criminals are part of any OCG, although the evidence that Romanian police officers are being seconded to assist with UK investigations does suggest the existence of a JIT and commission of complex, possibly organised, transnational crime.

How has the investigation disrupted the activity of OCGs?

There is no clear evidence of any OCGs being disrupted or how they have been disrupted

What other relevant themes, if any, have been drawn out from the research that are relevant to answering the REA Central Research Question (CRQ)?

The police needed to be more proactive in preventing modern slavery and THB and identifying victims. This needed to be underpinned with training of staff and multi-agency working. There were also further training needs elsewhere with indications that the CPS preferred to charge offences under legislation other than the Modern Slavery Act 2015 as they did not understand the legislation. There was also a lack of involvement from the CPS complex case unit (HMICFRS 2017).

There was a lack of a national intelligence picture on modern slavery. This was put firmly at the door of the NCA but there was also a lack of commitment to delve further into the local intelligence picture by police leaders for fear of fuelling an increased demand for stretched resources (HMICFRS 2017).

There needs to be more proactive partnership working to prevent and investigate modern slavery. Some positive work has been done with partner agencies to target high risk industries such as car washes, nail bars and brothels for prevention but forces need to build a thorough understanding of localised high-risk areas and industries (HMICFRS 2017).

The police transformation fund allocation to modern slavery and the subsequent establishment of the MSPTU was a positive move towards improving the response to modern slavery. However, the limited life of the MSPTU is acknowledged with a warning that the police must use the work it has undertaken as an opportunity to embed a sustainable response to modern slavery (HMICFRS 2017).

6.8 CPS (2018). [Crown Prosecution Service \(Delivering Justice\): Modern Slavery Report](https://www.cps.gov.uk/sites/default/files/documents/publications/Modern_slavery_report_201718.pdf). [online]. Last accessed 10th March 2019 at:
https://www.cps.gov.uk/sites/default/files/documents/publications/Modern_slavery_report_201718.pdf

Background to this paper

This paper reports on an internal review by the CPS. It was published in August 2018 and is a review of prosecutions for offences of modern slavery in the year 2017/18. The CPS role is to prosecute criminal cases that have been investigated by the police and other LEAs in England and Wales (CPS 2018).

The review examines several modern slavery cases and considers prosecution statistics over recent years to establish if the CPS has changed to ensure it is prioritising the prosecution of modern slavery to contribute to the UK Government's commitment to tackle modern slavery. The review also considers what changes have been made by the CPS in response to an inspection by Her Majesty's Crown Prosecution Service Inspectorate (HMCPSI), which commended the work that the CPS had done with the police on complex cases and the CPS overseas liaison network. However, the HMCPSI made

recommendations in relation to the oversight of cases, governance, quality assurance training and the spreading of best practice (CPS 2018).

What was the expected theory of change and to what extent has it been achieved?

The UK Government's strategy is based on four standards: pursue, prevent, prepare and protect. The CPS response prioritises 'Pursue' in order to bring successful prosecutions. A focal point of this objective is early engagement between prosecutors and investigators in order to consider prosecution strategy (identify reasonable lines of enquiry, what should be served as evidence and what should be disclosed) and ensure timely investigation advice. This is known as Early Investigation Advice (EIA). The review brings about change in the existence of up to date knowledge on the CPS response to modern slavery. It demonstrates that the CPS is doing something about modern slavery (CPS 2018). By demonstrating action is taking place relating to 'Pursue' the CPS should contribute to prevention of modern slavery by way of a deterrent (Tilley 2009) and the Government's Modern Slavery Strategy (2014) 'Prevent' agenda.

What is being reviewed from an investigative point of view is how the CPS are changing to prioritise modern slavery for EIA and successful prosecution by working closely with the police and introducing several initiatives (CPS 2018). All investigative interventions into modern slavery, where the CPS provide EIA, are intended to prioritise bringing offenders to justice and protecting victims (CPS 2018). This contributes to the overall theory of change, which is to prevent, combat and eradicate modern slavery and again provides up to date knowledge on the action being taken, this time in respect of the CPS involvement in investigations.

To improve prosecutions of modern slavery cases at the operational level the CPS work closely with police and other LEAs at the local, national and transnational level, to iron out the complexities of investigating such offences, particularly at the transnational level. LEA and police investigators investigate and make investigative decisions on gathering evidence which they put before the CPS for them to make decisions on prosecution. EIA by the CPS is intended to support investigations by giving investigators advice on gathering best evidence and how to do that, especially gathering evidence from another country and

supporting victims and witnesses from other countries, who tend to be vulnerable and frightened (CPS 2018).

The number of modern slavery cases authorised for charge by the CPS rose by 27.1% from 188 in the year 2016-17 to 239 in the year 2017-18. In the same period the conviction rate rose from 61.4% to 65.1%. The CPS also contributed to a rise in the average number per case of victims and witnesses supported to give evidence in modern slavery cases, from 3 in 2011 to 7.9 in 2017-18 (CPS 2018).

In support of transnational investigations, the CPS has created a network over overseas liaison officers. They have representatives, who are prosecutors, based in 30 countries. Although modern slavery is not their only priority, they provide a link between the police and other LEAs and foreign and UK prosecutors to progress transnational modern slavery cases. This helps to obtain evidence in investigations, build prosecutions and seize criminal assets (CPS 2018).

What method of evaluation research was used (including Maryland Score)?

The CPS carried out a statistical review of the number of modern slavery cases prosecuted under old and new legislation from 2011 to 2017-18. This was backed up by qualitative description of action taken and case studies for the year 2017-18. A temporal sequence can be seen in the statistics before and after the Modern Slavery Act 2015. However, that is not explored in this review. It is more a cross-sectional snapshot in time of activities in 2017-18 at the end of the statistical review (CPS 2018). **Maryland score of 1.**

What type of investigative intervention has been researched?

The review examined several investigations carried out by the police and other LEAs and prosecuted by the CPS. They consider transnational investigations where the CPS request evidence from other nation states at an early stage and transnational investigations where the CPS are part of a JIT. The paper defines a JIT as, “...a team of investigators and prosecutors from at least two EU member states, established to investigate and prosecute cases where crime is committed in more than two countries.” (CPS 2018, p. 4). At the time of

publishing the report the CPS were involved in 25 JITs investigating modern slavery (15 in London), however no specifics of a JIT are given.

The CPS prioritised EIA for modern slavery investigations at the transnational, national and local level. One such local investigation resulted in the prosecution of two defendants for modern slavery in relation to using children to deal controlled drugs in as part of 'county lines' drug trafficking. This is part of a series of investigations by the NCA and local police forces into drug dealers from major cities setting up drug dealing networks in county towns (CPS 2018).

A case involving victims from Slovakia and the Czech Republic, some of whom were suffering mental health issues and had learning difficulties, is highlighted. Although there are no details on whether a JIT was involved, the CPS prosecuted seven members of a Slovakian family for trafficking the victims from Slovakia and the Czech Republic to be kept in overcrowded conditions and forced by threats of violence and intimidation to do menial work. They received little food and were forced to pay for transport and accommodation. The defendants received a total of 40 years imprisonment and were subject of profit confiscation (CPS 2018).

The Modern Slavery Act 2015 includes provision for the issuing of Slavery and Trafficking Prevention Orders and Risk Orders. Prevention Orders restrict those convicted of modern slavery by bringing in in restrictions on them to prevent them taking part in modern slavery offending in future. Risk Orders restrict the activities of defendants awaiting trial and conviction and those who have been acquitted to prevent them continuing to take part in modern slavery offences. In 2017-18 nine defendants in a lengthy modern slavery investigation were issued with Risk Orders which included a restriction on them handling victims' bank cards. Two of the defendants were found to be in breach of the order and following an investigation into that breach they were charged with breaching the order. Both were sentenced to imprisonment (CPS 2018).

Twenty-year Prevention Orders were placed on the two men convicted of modern slavery offences relating to a 'county lines' criminal operation run by two men. They were sentenced to a total of 19 years imprisonment for the modern slavery and the Prevention Orders are designed to restrict their criminal activity on release (CPS 2018). The Modern Slavery Act

2015 continues to be used against county line dealers. In May 2019 3 men were convicted for trafficking 5 child victims and one vulnerable adult to Portsmouth from London to deal in class A controlled drugs. The victims lived in squalid conditions and were subjected to humiliating treatment and threatened with firearms to hand over the £2000 a day they were making dealing the drugs. All three offenders received lengthy prison sentences for modern slavery and drug dealing and were given Prevention Orders for their release to stop them owning more than one mobile phone and computer and driving cars with anyone younger than 18 who is not a relative inside the car (Hardy 2019).

In another case highlighted by the CPS (2018), a proactive investigation by the police, the NCA and the GLAA supported by health services, local authorities and charities, led to the arrest and conviction of four people for conspiracy to THB, conspiracy to force people into labour and conspiracy to conceal criminal property. They were sentenced to 32 years imprisonment in total for the conspiracies after they were found to have trafficked 14 vulnerable polish men to the North of England on the promise of well-paid jobs. The good pay did not materialise. The victims were forced under threat of violence and intimidation to live in cramped conditions and do hard work for the minimum wage. The offenders opened and controlled bank accounts in the victims' names paying victims' wages into their own accounts. The victims had to forage in bins for food and if they tried to escape their conditions they were assaulted.

The review also evidences the case of the Vietnamese Women forced to work in nail bars highlighted by Silverstone and Brickell (2017) as best practice. This was "*believed to be the first such case of Vietnamese defendants being convicted for trafficking victims into labour exploitation*". The prosecution resulted from a joint police/NCA investigation and relied on detailed intelligence and analysis (CPS 2018, p.6).

How has the investigation safeguarded modern slavery victims?

Generally, the CPS were supporting victims who were providing evidence in trials. Through collaborative efforts with health services as well as NGOs who facilitate crucial victim care and ongoing/sustained support. Advice and support to police and LEAs includes the work of the CPS Proceeds of Crime Division, which oversees profit confiscating at court. That department recently obtained restraining orders and subsequent profit confiscation of

£16500 from modern slavery traffickers in Newcastle. Reparation orders of £10000 were made in respect of the victims in the same case (CPS 2018).

There is no clear evidence in the review of what happened to the victims trafficked by the Slovakian family or how many there were. The 14 Polish victims were supported through the CJS process and steps were taken to provide them with long term care. No victims are mentioned in the Slavery and Trafficking Prevention Orders and Risk Orders case in the CPS (2018) report³¹, but the risk order issued was obviously targeted at protecting victims' assets and further potential financial abuse of them by the defendants. The Vietnamese nail bar case appears to have resulted in the recovery of 4 victims, but it is not known what happened to them.

Which OCGs are involved?

There is little detail of the makeup of the OCGs involved. The one with the transnational element appears to be made up of Slovaks from one family. The other cases mentioned here (including in the article by Hardy (2019)) involve trafficking people around the UK; South to North or London to Portsmouth and drug and firearms crimes are mentioned as well as concealment of criminal property (CPS 2018).

How has the investigation disrupted the activity of OCGs?

The CPS (2018) paper shows OCG members have been brought to justice and profits confiscated, which undoubtedly disrupts the OCG. However, further research is required to see how widely organised crime and OCGs are being disrupted including whether the removal of one OCG lets in another to take their place (Tierney 2009). Time will tell in respect of the impact of the Slavery and Trafficking Prevention Orders and Risk Orders, but they are obviously being used.

³¹ It is not clear what happened to the victims in the Portsmouth county lines case, which is not covered in the CPS (2018) report but is included as further evidence of disruption of an OCG using modern slavery together with other legislation. They all appear to have been charged with possession with intent to supply and only 2 gave evidence against the offenders for modern slavery. The others feared for their safety if they gave evidence (Hardy 2019).

What other relevant themes, if any, have been drawn out from the research that are relevant to answering the REA Central Research Question (CRQ)?

Mandatory training has been introduced for prosecutors to develop '*expertise and build further resilience*'. Complex Casework Units, central casework divisions and overseas staff received training on EIA. Joint training has taken place with the MPS on JTs supported by Europol, Eurojust and Romanian and Hungarian police and prosecutors (CPS 2018, p.2). The CPS have pushed transnational investigation through its overseas network of liaison staff and by bringing representatives from various countries together with Europol, NCA and police leads to a conference on Modern Slavery in February 2018 (CPS 2018).

The February 2018 conference established, '*the need for better collaboration and co-ordination between police and prosecutors and the need to increase joint investigations to dismantle OCGs. Financial investigation strategies to remove profits were also highlighted, as were policies to support the identification, protection and safe repatriation of victims. Better, earlier, faster international co-operation - including the exchange of intelligence, evidence and assistance in complex cases (are) vital, along with direct channels of communication*' (CPS 2018, p.7).

6.9 Sereni and Baker (2018). [Before the Harm is Done: Examining the UK's response to the prevention of trafficking](http://www.antislavery.org/wp-content/uploads/2018/09/Before-the-Harm-is-Done-report.pdf). [online]. Last accessed 5th April 2019 at: <http://www.antislavery.org/wp-content/uploads/2018/09/Before-the-Harm-is-Done-report.pdf>

Background to this paper

As with the Annison's (2013) paper, which is part of the REA, this paper by Sereni and Baker (2018) is published by the ATMG, which is hosted and chaired by the charity Anti-Slavery International (ASI). The ATMG prioritises the protection of human rights for victims of modern slavery (ATMG 2019).

Sereni and Baker's (2018) paper was commissioned by the ATMG to review the action taken in the UK since 2012 on preventing THB. An earlier (2012) ATMG report had found that the UK lacked a strategy for preventing THB, there was little comprehension of what was needed to prevent THB and the action taken to prevent THB was inconsistent.

What was the expected theory of change and to what extent has it been achieved?

The research was to develop an up to date understanding of the UK response to THB to see if it was meeting its international obligations by playing its part in implementing the 2005 Council of Europe Trafficking Convention 1 to prevent THB and promote international action to prevent THB³² and the EU Trafficking Directive 2, which includes closer co-operation between police and other LEAs from different nation states on transnational THB³³. The 2005 Council of Europe Trafficking Convention 1 includes trafficking for prostitution, other sexual exploitation, forced labour or services, slavery, servitude or organ removal (Sereni and Baker 2018).

As a result of the research, evidence is put forward to show that improvements had been made since 2012. However, there was little evaluation of the problem and an over emphasis on the CJS response. There was found to be a lack of an overall strategy to prevent trafficking in adults and children, meaning there is an inconsistent response to overall prevention of THB, which is seen as an immigration and crime problem. There was little effort put into reducing the causes of the vulnerabilities that lead children and adults to become victims. This was compounded by Government austerity measures, a hostile immigration policy and the potential consequences of Brexit (Sereni and Baker 2018).

Sereni and Baker (2018) also make comment on the fact 'modern slavery' is used in the UK as umbrella terminology covering THB, slavery, servitude and forced labour. They are concerned this does not recognise historical and local perspectives of slavery and it is at odds with the international emphasis which is on THB. They state that correct application of international definitions is key to implementing effective responses to a problem. However, they accept that the UK continues to understand THB in accordance with the Palermo Protocol elements, which are the act (recruitment, transport, transfer, harbouring and receipt of persons), the means (threat or use of force or other means of coercion) and the purpose (the exploitation).

³² See *Council of Europe Convention on Action against Trafficking in Human Beings* at: <https://rm.coe.int/168008371d>

³³ See *DIRECTIVE 2011/36/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 5 April 2011* at: <https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:101:0001:0011:EN:PDF>

Even though the research examined the wider responses to THB it included an examination of some investigative responses, together with the prosecutions and use of civil orders, to see if the risk for the traffickers is increased. The knowledge developed from the research suggests the risk for the traffickers is still low and there is no real mechanism to monitor impact of UK legislation through such investigations. Sereni and Baker (2018) found a lack of resources for investigations and other CJS responses and a detrimental policy, which puts the emphasis on border control to curb irregular migration rather than identifying and safeguarding potential victims at the UK border. They also raise concerns that Brexit may impact on the UK ability to tackle THB, but THB has been absent from any Brexit debate.

Sereni and Baker (2018) made the following recommendations:

- *The UK Government, in collaboration with devolved administrations, relevant government departments and civil society, develops a UK-wide, evidence-based, time-bound, prevention strategy, as well as a child-specific strategy;*
- *Assess extant and any new immigration legislation for impact on migrants' vulnerability to exploitation;*
- *Regularly commission independent evaluation of all prevention measures funded by the UK Government and devolved administrations, including gender and human rights impact assessments;*
- *Commit to continuous investment in research on the socio-economic causes of trafficking in the UK and countries of origin;*
- *Create a unified data collection system for National Referral Mechanism data for adults and children, as well as crime recording, and conduct regular qualitative analysis to inform prevention work;*

- *Provide a comprehensive guardianship scheme for all separated children across the UK and create a process to provide a best interests assessment for each child identified as a trafficking victim, to prevent them from being re-trafficked;*
- *Consult with adult and child victims in developing prevention initiatives and ensure funding is driven by their views and needs;*
- *Commission an independent review of the impact of criminal justice cuts and Brexit on the UK's capacity to pursue and punish traffickers;*
- *Consider appointing independent anti-trafficking safeguarding leads at all UK borders to enhance the identification and protection of those who are trafficked or at risk of trafficking;*

Guarantee assistance and support to victims, following conclusive determination by a competent authority, to reduce the risk of re-trafficking; provide further assistance and support for 12 months from the day on which support provided under the NRM ceases (Sereni and Baker 2018, p.7).

What method of evaluation research was used (including Maryland Score)?

The research was largely desk based and relied on freedom of information requests. However, it was underpinned by semi structured interviews with 5 members of the ATMG, 4 solicitors, 2 barristers, 16 NGO staff, 8 representatives from UK Government agencies and 4 LEA staff. The views of the youth programme of Every Child Protected Against Trafficking (ECPAT UK), which includes trafficked children, were also considered (Sereni and Baker 2018). **Maryland score of 1.**

What type of investigative intervention has been researched?

Aside from the recently published review of the Modern slavery Act 2015, Sereni and Baker (2018) cited the 2016 Haughey report which found that there was an inconsistent response to using provisions within the Modern slavery Act 2015 by the police and other LEAs. There was a lack of specific training for police officers investigating offences under the act and a lack of reliable intelligence from the local to the transnational to inform such investigations.

In line with Tilley's (2009) assessment of the work of the CJS acting as a deterrent, Sereni and Baker (2018) see investigation leading to prosecution as increases the risk for the traffickers and deterring them from THB. Although they were concerned at the lack of resources to deal with digital disclosure (echoed in the MSPTU 2019 report) and support for victims at each stage of the CJS, including at the investigation stage by the police and the prosecution stage by the CPS, Sereni and Baker (2018) noted an increase in investigations and prosecutions.

Sereni and Baker (2018) also made the point of highlighting a lack of use of Slavery and Trafficking Prevention Orders on conviction and Risk Orders during investigations. They cite a civil servant as saying:

“Risk orders are underused; police officers and police forces are not aware of them, and they are also challenged by court clerks who often do not understand them. There could be a lot more innovative use of risk orders – but they are not being applied. When an investigation can only go so far, a risk order can be used to monitor a suspect.” (Sereni and Baker 2018, p.41).

Sereni and Baker (2018) discussed intelligence, investigations, investigative tools and subsequent prosecutions in general. Even though they were examining the contribution of the UK towards implementation of EU Trafficking Directive 2, which includes closer co-operation between police and other LEAs from different nation states on transnational THB they were not specific on any type of UK police investigation. They did not include any investigation case studies. They do, however, cite a 2017 report by the ATMG to highlight the potential of the UK police and other UK LEAs losing or having restricted access to EU

bodies as a result of Brexit. This includes access that helps support victims and access to Europol and Eurojust that aids transnational investigation. They state that transnational investigation relies heavily on Eurojust funding.

Sereni and Baker (2018) also state that there is continued good use made of informal contacts between the PSNI and the Garda Siochana that leads to intelligence sharing on transnational modern slavery across the Irish border between Northern Ireland and Ireland. This is cooperation and the subsequent building of criminal cases is also likely to be undermined by Brexit.

How has the investigation safeguarded modern slavery victims?

Sereni and Baker (2018) did not refer to any specific cases in respect of safeguarding victims. They did cite HMCPSP as stating, '*victims are being let down at every stage. Identification, information flows, victim focus, and investigative practice all need to be improved considerably, so that victims receive the full range of protections and safeguards to which they are entitled, and more offenders are brought to justice*' (p.37). In addition, victims continue to be criminalised despite the defence provision within section 45 of the Modern Slavery Act 2015; particularly child victims being arrested for drug cultivation and supply (Sereni and Baker 2018).

However, the 2017 Co-operative Group (The Co-op) Brighter Future Programme is cited as good practice. The Co-op working in partnership with an NGO (City Hearts) work to provide work placements for 30 victims of modern slavery each year, to provide them with the dignity, stability and security of regular employment with legitimate employers (Sereni and Baker 2018).

Which OCGs are involved?

There is no specific information on the make-up of OCGs in Sereni and Baker's (2018) paper. However, the existence of TNOC across the Irish border might be inferred from the highlighting of informal contacts between the PSNI and the Garda Siochana. There is also mention of 'county lines' drug gangs exploiting children in the UK to deal drugs and transport

drugs and money and the trafficking of Vietnamese children to manage cannabis cultivation, but again no specific details are provided.

How has the investigation disrupted the activity of OCGs?

Again, no specific disruption of OCGs is mentioned. There is, however, a brief discussion on the lack of understanding amongst police investigators on how cases of sexual exploitation and criminal exploitation could be cases of trafficking. In effect legislation such as the Modern Slavery Act 2015 could be used to disrupt OCGs involved in exploitation of children for sexual or criminal exploitation (Sereni and Baker 2018).

What other relevant themes, if any, have been drawn out from the research that are relevant to answering the REA Central Research Question (CRQ)?

Poverty is cited as a cause of THB. However, according to Sereni and Baker (2018) this is too simplistic. A range of individual and structural factors increase a person's vulnerability to becoming a victim of THB. The vulnerability is caused by systemic problems including insufficient protection from laws, policy and practice relating to employment, migration and social and international affairs. As with Silverstone and Brickell (2017), who considered push and pull factors in relation to modern slavery experienced by Vietnamese nationals trafficked to the UK, Sereni and Baker (2018) considered a range of push factors that cause THB. They include poverty, human rights abuses, a lack of social and economic opportunities, dangers from conflict or general instability as result of political and civil unrest, armed conflict and natural disasters.

Improvements were being made to the NRM, but they need to be made in consultation with all stakeholders to improve data collection. It should then be possible to analyse the intelligence available within the NRM much more effectively in order to inform the response to THB. Such analysis needs to be backed up by a mixture of quantitative and qualitative research but with a greater emphasis on more qualitative work (Sereni and Baker 2018).

With qualitative research in mind, Sereni and Baker (2018) promote the Home Office backed work by Cooper et al (2017) on identifying the typologies of modern slavery; although they found the data sources taken from NRM cases to be limiting. They promote more research on modern slavery and THB and whilst they emphasise a need to promote research into causes in order to better inform preventative strategies, they recognise many areas of the response to THB are under researched and that it is important to obtain a full picture of THB and the response.

Sereni and Baker (2018), as with most other papers on modern slavery and the investigation of it, cited the importance of training and awareness raising. They found good examples of both, including good examples of training the police, but with little evaluation to assess the impact of either. They referred to the HMCFRS (2017) report in highlighting the sustainability of training in the police and raise concerns about the sustainability of the MSPTU in raising police awareness and training and promoting the response to modern slavery. Sereni and Baker (2018) also highlighted a lack of resources to deal with THB in the CJS, caused by budget cuts and poor coordination. That coordination needs to be cross government to prevent THB in the first place and reduce the number of offences that need to be investigated. There needs to be a governance framework in place covering all the UK which includes impact evaluation and a clear understanding of the role and responsibility of each Government department and each organisation involved in the response to prevent THB.

7. [REA Discussion](#)

This chapter sums up and synthesises the analysis of the papers chosen for the REA. They are then discussed alongside the level 6 student research.

7.1 [REA Discussion of findings](#)

This whole paper including the REA is an analysis of the development of modern slavery investigation as a priority for the UK police and other LEAs with a view to bringing about change towards a world free from slavery. Although most of the research, reviews and inspections subject of this REA were given a Maryland Score of 1 some were still quite detailed and drew knowledge as a result of gathering evidence from multiple sources and multiple investigations. This provides evidence of what works in respect of JITs, and other similar interventions, at safeguarding victims and investigating and disrupting transnational organised modern slavery impacting on UK. The benchmarking exercise carried out by Kelly and Regan in 2000, on behalf of the Home Office, is one such example of using multiple techniques to gather data from several sources.

Kelly and Regan's (2000) research on the transnational trafficking of women for prostitution is put forward and investigated as a priority mainly by the Metropolitan police. It is classed as a form of modern slavery and attempts are made to prioritise the detection, recovery and support of victims. As a result of the deaths of 23 Chinese cockle pickers in Morecambe bay in 2005 and the exposure of transnational trafficking of people for the labour market from Lithuania to the UK, the transnational forced labour element of modern slavery became the focus of the police and other UK LEAs. Despite the focus there is little evidence of the use of JITs and there is a call for more leadership and coordination in the investigation of transnational forced labour and all aspects of THB by Balch (2012).

JITs are championed as a useful tool for the transnational investigation of THB in Annison's (2013) paper. The paper is based on extensive research on the UK CJS response to THB and provides qualitative evidence in favour of the first THB JIT between the MPS and the RNP. Obokata et al (2014) continues to support JITs and draws out the importance of a positive joint working culture between multi-agencies and between police and LEA staff from different countries in line with Heeres' (2012, p.112) '*willing and able*' culture.

Although they do not discuss JITs in any detail, Silverstone and Brickell (2017) provide a detailed analysis of THB and modern slavery involving Vietnamese smuggled and trafficked from Vietnam to the UK and around the UK. They make several recommendations to the IASC based on interviews with victims, the police and other LEAs and analysis of the NRM. Recommendations include making use of JITs and more proactive investigations by the police, based on an improved NRM.

Cooper et al (2017), whilst recognising that modern slavery continues to be a dark crime and their research was exploratory identified 17 typologies of modern slavery. This provides a more detailed understanding of the existence of modern slavery in the UK and where TNOC fits in. The findings were considered by the Modern Slavery Act 2015 review team. This helped the review team to make recommendations to the UK Government about legislation and publishing guidance on new and emerging types of modern slavery (Great Britain, Home Office 2019b).

The HMICFRS (2017) report provides the most critical and far reaching evidence on the police investigation of modern slavery in the UK. The report found good signs of progress, but the police need to do much more to be effective at responding to modern slavery. Police need to be more proactive. *“This does not necessarily require specialist officers; these offences occur in every force area, and while some lead to large and difficult investigations, others are far smaller in scale and less complex. Many of the failings ... in investigating modern slavery and human trafficking, and in bringing offenders to justice (reflected) deficiencies in basic policing practice”* (p13). Also, there is an identified need within the paper for an increase in the use of JITs backed up by increased training, but there is little detail on JITs apart from a reference to a CoP manual dating back to 2011 and misrepresentation of JITs as joint intelligence teams, which suggests a lack of knowledge amongst the HMICFRS inspection team on JITs.

The CPS (2018) review highlights the impact that using provisions from the Modern Slavery Act 2015 alone and combined with other legislation, such as the Proceeds of Crime legislation, can have on dismantling criminal activity. The use of Slavery and Trafficking Prevention and Risk Orders are also useful in disrupting criminal activity. However, more use needs to be made of such provisions and there needs to be a realisation that use of such provisions and the investigation that takes place behind them is recourse intensive. This is highlighted in the increase in time that it is needed to investigate complex modern slavery investigations.

Sereni and Baker's (2018) paper examines the CJS response to modern slavery including some investigative responses. However, it also examines the wider causes of vulnerability and is critical of the lack of effort by the UK Government on reducing the causes of the vulnerabilities that lead children and adults to become victims of modern slavery, which is compounded by austerity measures, a hostile immigration policy and the potential negative consequences of Brexit. They are also concerned about the emphasis placed on the 'modern slavery' terminology as an umbrella term to include THB, slavery, servitude and forced labour, rather than using international terminology which puts the emphasis on THB to implementing effective responses to the problem. Nevertheless, they accept that the UK continues to understand THB in accordance with the Palermo Protocol elements, which are the act (recruitment, transport, transfer, harbouring and receipt of persons), the means (threat or use of force or other means of coercion) and the purpose (the exploitation).

Whilst there is some critique of the speed of the developing response to modern slavery, how that response is taking shape and whether modern slavery is the correct terminology to be used, the papers covered by the REA do provide an analysis of how modern slavery investigation and other responses have developed to become a priority for the UK police and other LEAs. The slow development of the response is echoed in the MSPTU (2019) report, which states that the police understanding of modern slavery and the investigation of modern slavery offences has developed but both are still limited when compared with the investigation and knowledge of other priority organised crimes. This is compounded by a lack of resources. There is however an increased use of JITs to respond to modern slavery and the following sub-chapters (8.1.1 to 8.1.6) provide a synthesis of the evidence on the use of JITs and other transnational investigations. The synthesis is drawn from asking questions of the research papers to provide an overall evaluation of how effective JITs, and other similar interventions, have been at safeguarding victims and investigating and disrupting transnational organised modern slavery impacting on the United Kingdom (UK).

7.1.1 [Evaluating Effectiveness through the Theory of Change.](#)

The general change that has taken place through the research, inspections and reviews analysed is a development towards a greater understanding of modern slavery and the responses to it. Those research, inspections and reviews have contributed towards a gradual change to the police and other LEAs in the UK being more responsive towards modern slavery and in doing so they have increased the use of JITs to help tackle transnational organised modern slavery. This forms part of a global response towards preventing, combating and eradicating modern slavery promoted by the UN (UN News 2018).

The theory of change is not always clearly articulated in the research evaluated. In the main, this has been drawn from the background information, any aim(s) and objectives and the recommendations made as a result of the evaluated research. In many cases the research itself has set out to examine what has been done towards eradicating slavery and the picture has gradually become clearer over the 19 years since the first paper by Kelly and Regan in 2000.

The research evaluated has examined several investigative interventions and the REA has focussed on, and asked questions about, the transnational investigation of modern slavery; in particular, transnational investigations involving the use of JITs. Most of the individual transnational investigations cited achieve the aim of bringing offenders to justice and over the years the investigations have adapted to make rescuing and supporting victims a priority.

JITs are supported as a useful transnational investigation tool and are now more widely accepted. However, there is little evidence of what impact investigations as a whole or individually have on modern slavery. As with all organised crime investigations, there needs to be a route and branch wider economic, social and cultural impact assessment completed, to fully understand the impact of any investigation and how it contributes to the overall theory of change in respect of the individual OCG, the crime and organised crime in general (Westmarland and Conway 2019).

There also needs to be an understanding of what makes an investigation work well and the evaluated research alludes to the fact that the operational culture of those involved in the investigations is important, but that is missed in favour of checking processes and statistics (Severns 2015). Such impact analysis and analysis of what makes an investigation work well takes time and a lack of resources in money and expertise within the police and at universities tends to prevent such research from taking place.

Aside from making recommendations supporting the use of JITs, which have increased over the years. The evaluated research has made several recommendations towards eradicating modern slavery. Taking the long view, many of the recommendations have been achieved, including developing all-encompassing legislation that covers all aspects of THB and modern slavery, including forced labour, and makes provision for the support of victims. This is in the form of the Modern Slavery Act 2015, which creates a specific offence of THB and one of modern slavery. It should also ensure that any UK modern slavery investigation (local or transnational) and any subsequent prosecution should recognise the rights of victims. The Modern Slavery Act 2015 has been subject to regular review and recent recommendations are hoped to make the UK Government more accountable for acting to prevent modern slavery (Great Britain, Home Office 2019b).

Other themes from the theory of change (and the investigative intervention) evidence examined in the REA includes an increased awareness of modern slavery and how it is investigated. That has become more apparent in later years, especially with the introduction of the MSPTU. However, more awareness raising, and training of police officers is required, and it needs to be sustainable in line with the aims of extending the MSPTU operation until 2020. Front line police officers lack training in recognising the signs of THB and modern slavery, so that initial important action can be taken to preserve evidence and investigators need the expertise to manage local and transnational investigations. More training and awareness raising on JITs continues to be advocated by the JIT network of experts and Eurojust (Eurojust 2018a). ([See recommendation 7](#)).

It is, of course, all well and good giving police and other LEAs such training, but there is a danger of overloading them with training as other areas of policing need regular training inputs. This is something else that becomes apparent as the changes in understanding modern slavery materialise; it is the constant competition between different police and LEAs and departments within them for more resources for increased and competing demands. Therefore, there needs to be clear national leadership on prioritising crimes for investigation and that needs to be reflected in police officer training, especially within the curriculum of the new policing degrees. There are differences of opinion on how effective those degrees will be at producing rounded professional police officers, but they have been implemented, so operational police leaders need to use them as an opportunity for positive change.

There has been a change to more multi-agency partnership working with other agencies (public and private), NGOs and Government departments to assist the police and other LEAs with responding to modern slavery. This has assisted police investigations in bringing offenders to justice and rescuing victims and is well evidenced in several papers in the REA and in the MSPTU (2019) report. However, as highlighted by Sereni and Baker (2018) there needs to be a more joined up response starting with the Government taking a cross government approach based on a policy that deals with the causes of modern slavery.

In summary, modern slavery has been put under the microscope since 2000 in the UK and there is now a change in the understanding on the type of slavery and THB that exists in the UK and how effective the response is. Whilst the full extent of modern slavery is still not known, increased local and transnational investigation has been shown by the research to contribute towards a change in understanding the subject. It is also promoted as a deterrent

as it increases the risk to the offender (Tilley 2009, Sereni and Baker 2018). Therefore, investigations and the wider responses are being improved with the aim of fully understanding the problem and making changes to eradicate modern slavery. Those investigations and the results are now synthesised in more detail starting with investigative interventions.

7.1.2 [Investigative Intervention.](#)

Investigative intervention has been discussed to various degrees in the papers that are the subject of this REA. However, even though JITs are promoted more and more, especially since the first THB JIT between the MPS and RPG, there is little academic research into how successful they are and if they are, what makes them work well. The main evaluation source of JITs is that carried out by the JIT network of experts (Eurojust 2018a). That evaluation tends to focus how many JITs have been established and in what areas, also on process, trust and what is deemed to be best practice, but not on why certain crimes become the focus of JITs, why the process works or how the trust is developed and there is little in the academic research highlighted in this REA to compare with the JIT experts' evaluation. That expert evaluation is the most advanced source on the subject, but the experts do not meet regularly, and their time is limited. Therefore, there needs to be more detailed academic analysis on the use of JITs.

Within the REA a variety of reactive and proactive operations by individual police forces, individual LEAs, multi-agency partnerships and specialist units are highlighted as targeting modern slavery and THB. According to Kelly and Regan in 2000 some reactive and proactive investigations took place, mainly targeted at trafficking women for prostitution in brothels. The most successful prosecution at the time was one where the MPS fully supported a Lithuanian female victim with giving evidence and returning her home with the support of embassy staff in her home country. The then NCS and NCIS (forerunners of the NCA) were responsible for TNOC but did not prioritise THB or the developing concept of modern slavery as they had no intelligence on either. According to Balch (2012), following the case of *PA v Commissioner of the Police of the Metropolis* (2009), which placed a duty on the police and other LEAs to investigate forced labour, investigative intervention of modern slavery offences, including THB, started to come to the fore.

Emphasis is placed on multi-agency operations such as the Operation Ruby disruption of forced labour in Northamptonshire. The operation was praised for the multi-agency working but it lacked the appointment of a lead SIO with responsibility to pull together the overall investigation of any offences (Balch 2012). In respect of investigating forced labour Balch (2012) recommended the formation of specialist police teams who should not only investigate, but also train other staff and raise awareness to embed knowledge of forced labour within mainstream policing. Once embedded in the mainstream there was no further need for a specialist unit so they could then be disbanded as a success (Balch 2012). This appears to be the approach being currently taken in respect of the MSPTU. It will, however only be the correct course of action to disband the MSPTU in 2020 if those responsible for making that decision are satisfied that what they have done has been embedded as mainstream activity and there is a lead agency pulling together modern slavery intelligence gathering and investigation from the local to the transnational and the global. Balch (2012) saw that as the responsibility of the NCA prior to its establishment. Now the NCA is fully operational, it should be its responsibility and the responsibility of the NCA Director General (DG) in consultation with Chief Constables to decide on prioritisation of modern slavery investigation alongside other serious organised crime investigation.

Embedding investigation of modern slavery into the mainstream is reinforced by Annison (2013). She advocates the importance of the 'golden hour' in investigating modern slavery and the necessity for front line police officers to recognise the signs of trafficking, so that early action can be taken to secure forensic and other evidence and locate suspects. Any investigation should also consider the needs of the victim throughout the case. The successful investigations are ones where police officers have good knowledge of modern slavery and are willing to support the victims (Annison 2013), more evidence of Heere's (2012) willingness coupled with being able to do the job.

Annison (2013) also introduces the merits of JITs as being a useful tool in investigating modern slavery and THB as they speed up information exchange and attract Eurojust funding for interpreters, travel and accommodation. Operation Golf was a proactive transnational investigation by the MPS and RNP into trafficking Romanian children for criminal exploitation. It was the first JIT to investigate TNOC involving THB for modern slavery and was successful in dismantling the transnational OGC responsible. The multi-agency transnational investigation approach is also promoted by Annison (2013) with evidence of Operation Reflex pulling together various police and LEAs working with a

network of ILOs deployed in various countries to investigate organised illegal immigration and its overlaps with THB for modern slavery.

The merits of JITs and transnational working are also alluded to by Obokata et al (2014) discussing close co-operation between the PSNI and Garda Siochana (also identified by Sereni and Baker (2018) in relation to the impact of Brexit) and a PSNI/Swedish LEA JIT. The merits of JITs are also discussed by Silverstone and Brickell (2017) who studied the investigation of trafficking of Vietnamese nationals to maintain illegal cannabis grows in the UK. They state that use should be made of JITs involving the UK, other relevant EU countries and Vietnam as a third country to investigate THB and modern slavery. Cooper et al (2017), give more detail on the PSNI/Swedish LEA JIT in that it was facilitated by Europol and Eurojust and lasted two-years. It investigated male and a female Romanian offender who worked together between 2011 and 2013 and profited from trafficking 13 female victims between Romania, Sweden and Northern Ireland to be forced to work in brothels. The offenders were initially arrested and sentenced to 4 years imprisonment in Sweden and then, in 2016, they were extradited to Northern Ireland and were sentenced to 2 years imprisonment there.

Cooper et al (2017) studied several proactive and reactive investigations with a transnational element but only mention the one PSNI/Swedish JIT and the NCA working with the CPS to arrange an arrest by the Czech police of Czech national offender. HMICFRS (2017) found that the larger in investigations into modern slavery were the ones that were best managed, especially where they were managed by police units with specialist knowledge and/or capabilities. Other investigations, as highlighted in another of the REA papers, failed because of a poor initial response to complaints caused by a lack of understanding of the issues on the part of the officers attending. There was a high degree of commitment in the specialist teams (HMICFRS 2017). This again may point to the existence of a clear '*willing and able*' culture that needs to be nurtured (Heeres 2012, p112).

Modern slavery was designated as a priority for intelligence gathering in November 2016 and it featured in 11 of the NCAs 800 operations that were current at the time of the HMICFRS (2017) inspection. The NCA are the lead agency for transnational investigations and provide tactical advice (via the MSHTU) to police forces on modern slavery and THB investigations and links to Europol and NCA ILOs based in various countries around the world. HMICFRS (2017) found the NCA to be leading 2 modern slavery JITs and the police

17. They briefly discuss regular links with Romanian police and ROCU staff requesting more training on transnational investigation, including the setting up of JITs. However, there is little detail on JITs apart from a reference to a CoP manual dating back to 2011 and an apparent misrepresentation of JITs as joint intelligence teams, which suggests a lack of knowledge amongst the HMICFRS inspection team on JITs.

At the time of publishing its 2018 review report the CPS were involved in 25 JITs investigating modern slavery (15 in London), however no specifics of any of the JITs are given. They focus on the importance of using modern slavery legislation to investigate OCGs operating 'county line' criminality and exploiting children and vulnerable people to drug dealing. As part of that they promote the use of Modern Slavery Act Slavery and Trafficking Prevention Orders and Risk Orders. Prevention Orders restrict those convicted of modern slavery by bringing in restrictions on them to prevent them taking part in modern slavery offending in future. Risk Orders restrict the activities of defendants awaiting trial and conviction and those who have been acquitted to prevent them continuing to take part in modern slavery offences (CPS 2018). Although the CPS (2018) do not specify the fact, such orders are just as important to consider as part of a JIT as they are with local modern slavery investigations.

Joint training has taken place between the CPS and the MPS on JITs supported by Europol, Eurojust and Romanian and Hungarian police and prosecutors. The CPS have pushed transnational investigation through its ILOs and by bringing representatives from various countries together with Europol, NCA and police leads to a conference on Modern Slavery in February 2018 (CPS 2018). With regards to the CPS and the police, Sereni and Baker (2018) were concerned at the lack of resources to deal with digital disclosure (echoed in the MSPTU 2019 report) and support for victims at each stage of the CJS, including at the investigation stage by the police and the prosecution stage by the CPS. They also made the point of highlighting a lack of use of Slavery and Trafficking Prevention Orders on conviction and Risk Orders during investigations. However, they did note an increase in investigations and prosecutions.

Even though they were examining the contribution of the UK towards implementation of EU Trafficking Directive 2, which includes closer co-operation between police and other LEAs from different nation states on transnational THB Sereni and Baker (2018) were not specific on any type of UK police investigation. However, they cite a 2017 report by the ATMG to

highlight the potential of the UK police and other UK LEAs losing or having restricted access to EU bodies as a result of Brexit. This includes access that helps support victims and access to Europol and Eurojust that aids transnational investigation.

In summary, it can be seen from the REA that the investigation of modern slavery has developed between 2000 and 2019 and there has been an increased use of JITs. However, there are some shortcomings especially with the initial police response and the level of expertise and experience on the use of JITs. There is little academic knowledge on how and why some investigations work better than others and that gap needs to be filled to complement the investigation debriefs by the MSPTU and JIT debriefs by the JIT network of experts. There is a suggestion that units with specialist capabilities and knowledge manage better local and transnational investigations and that is underpinned by the fact they are, as Heeres (2012, p.112) puts it '*willing and able*'. Willingness and enabling the willing with specialist knowledge and creating specialist teams is also a theme within the student research and the *Operation Doubrava* research discussed at 8.2 and 8.3 below.

7.1.3 [Safeguarding of Victims.](#)

Much has been done to improve safeguarding of victims. Even within the paper by Kelly and Regan (2000), which was the earliest analysed for the REA, '*willing and able*' MPS officers sort to support victims. However, as pointed out by Sereni and Baker (2018) the HMCPSI found, '*victims are (currently) being let down at every stage. Identification, information flows, victim focus, and investigative practice all need to be improved considerably, so that victims receive the full range of protections and safeguards to which they are entitled, and more offenders are brought to justice*' (p.37). In addition, victims continue to be criminalised despite the defence provision within section 45 of the Modern Slavery Act 2015; particularly child victims being arrested for drug cultivation and supply (Sereni and Baker 2018).

Balch (2012) advocated the importance of the multi-agency operation Ruby approach to rescuing and supporting victims through the whole CJS process but pushed for more research to be done with victims to understand their needs and the impact that enforcement has on them. Annison (2013) reports a mixed response to safeguarding victims from good partnership working with social services to support child victims in operation Golf, to a general dismissal of victims on first contact. Such dismissal included not recognising

withholding of a victim's passport as a crime and a belief that even though victims were living in poor conditions, they were much better off than where they had come from. Obokata et al (2014) highlighted the fact there was a lack of legislation to protect victims and welcomed the then Modern Slavery Bill signalling the introduction of the Modern Slavery Act 2015.

However, even with the introduction of the Modern Slavery Act 2015, Silverstone and Brickell 2017 found THB victims tending cannabis grows in the UK and detected by the police do not always end up avoiding conviction, under the Modern Slavery Act 2015 statutory defence. Many were still prosecuted or held on remand for long periods. Nevertheless, 370 Vietnamese victims received positive NRM referrals between 2009 and 2016. Elsewhere, Cooper et al (2017) evidenced the rescue of victims and return to their home country; often a European country but they do not give details of the process.

HMICFRS (2017) echoed the HMCPSI finding cited by Sereni and Baker (2018). The HMICFRS (2017) overall finding was "*that many victims of modern slavery and human trafficking receive a wholly inadequate service from the police*" (p.13). Where there was good support for victims it involved allocating an officer to maintain regular contact with victims from rescue through the CJS process to safe resettlement back home or elsewhere (HMICFRS 2017). Despite the HMCPSI finding the more up to date review by the CPS (2018) claims they are supporting victims who give evidence at trial; although they do recognise there are issues raised by the 2017 HMCPSI report on the CPS response to the Modern Slavery Act 2015, and in response they have appointed a Chief Prosecutor to lead on modern slavery across all areas of CPS work.

Sereni and Baker (2018), having started this subchapter on a negative note finish on a positive one by citing the 2017 Co-operative Group (The Co-op) Brighter Future Programme as good practice. The Co-op working in partnership with an NGO (City Hearts) work to provide work placements for 30 victims of modern slavery each year, to provide them with the dignity, stability and security of regular employment with legitimate employers. Therefore, overall, the response to safeguarding victims is mixed and more needs to be done to support victims. As highlighted by the MSPTU (2019), '*Balancing the risk of harm to victims with the need to collect evidence about continuing exploitation is a frequent dilemma for investigators* (p.21).' This needs careful planning to ensure constant support for victims. Without such support cases could be jeopardized (MSPTU 2019).

7.1.4 [OCGs](#).

In order to investigate and disrupt OCGs it is important to understand OCGs and how they operate. Kenny (2008) explains organised crime and terrorism policing as a process of learning. The police and criminal groups around the world learn from one another and drive each other's actions through competitive adaptation. Traffickers are free to operate beyond territorial boundaries whilst the police are '*sovereignty-bound*' (Kenny 2008, p.103). OCG trafficking networks have flat structures that enable them to make quick decisions. OCGs are compartmentalised by way of family, friendship or geographical connections. Facilitators bring groups together or pass information or commodities between loosely connected groups as and when necessary to meet the goals of the network. If one group in the network is disrupted by the police, the network adapts and switches action via another group in the network. They also gather their own intelligence. They analyse information on police activity to learn how the police operate and adjust avoid detection based on the knowledge they gain from that intelligence (Kenny 2008).

Back in 2000 Kelly and Regan (2000) highlighted OCGs comprised of family or community members in originating countries with transnational links to family and community in destination countries. They cited Albania and Thailand as originating countries for THB with the UK as a destination country for both and various destination countries for women trafficked into prostitution from Thailand. They were Canada, USA, UK, France, Germany, Netherlands, Switzerland, Japan, Indonesia, Malaysia, Australia and New Zealand.

Balch (2012) highlighted Operation Ruby and further research of the operation found that the OCG involved local people (believed to be British) and Indian, Polish and a Portuguese national living in various parts of the UK. The victims who were being trafficked to and within the UK for forced labour were 60 men and women from Slovakia, Poland, Romania, the Czech Republic and Hungary. They were housed in the UK by the OCG in cramped conditions (Police Oracle 2008, Northamptonshire Police 2009).

Annisson (2013) found transnational OCGs involved in modern slavery offences, to be still comprised of family or community members in originating countries with transnational links to family and community in destination countries. OCGs were cross generational. Many OCG traffickers are ubiquitous but some have specific duties including responsibility for

either financing the operation, recruitment of victims, transportation, targeting officials for corruption, enforcers and debt collectors who realise the profit. To control their victims the OCG deceive them, physically coerce them and/or imprison them, but the main method of control tends to be psychological coercion. Victims are targeted for their vulnerability caused by poverty, lack of education, harsh upbringing, domestic abuse, being abandoned as a child.

Obokata et al (2014) also highlights the cross generational family and community ties but highlights links to other criminality including, in Northern Ireland and Ireland, drug trafficking, armed robbery, currency counterfeiting, fraud and money laundering. Obokata et al (2014) also consider the OCG/terrorist nexus that makes use of some covert policing tactics difficult and instils fear in the community who are reluctant to provide information. Silverstone and Brickell (2017) focus on Vietnam as an originating country for people trafficked to the UK to tend illegal cannabis grows. Vietnamese and Chinese communities receive victims in the UK and put them to work after they are sent by Vietnamese from Vietnam via Russia and Europe using open and clandestine travel, some of it facilitated by Kurdish OCGs.

Family OCG connections feature in Cooper et al's (2017) work involving nationals from Romania, the Czech Republic, Pakistan, Slovakia and Lithuania, some working with different nationalities; including possibly UK citizens. They are involved in specific typologies of modern slavery identified by Cooper et al (2017), which include:

“Labour Exploitation where victims are exploited for multiple purposes in isolated environments”. Involves offenders originating from the UK, Ireland or Slovakia; many from the travelling community. They tend to be related. They control victims by physical and verbal abuse, restricting any substance they are dependent on and restriction of movement either physically or by emotional control (Cooper et al 2017, p.13).

“Labour Exploitation, where victims work directly for the offenders”. Organised gang masters control large numbers of victims over multiple or single sites. They use debt bondage backed up by threats and use of violence to control victims who live in overcrowded or cramped conditions. The offenders tend to be male adults of the same nationality as the victims but strangers to them. They arrange a variety of transport for the victims depending on country of origin (Cooper et al 2017, p.15).

“Labour Exploitation, where victims work someone other than the offenders”. The victims are mainly adult males from various countries, mainly Hungary, Lithuania, Poland and Slovakia and some from Moldova, Myanmar, Vietnam and Zimbabwe. They are employed in legitimate jobs working for someone other than the offenders, but the offenders control victim bank accounts. Offenders are strangers to their victims but tend to be from the same country. Offenders tend to be related to each other and involved in recruitment, transportation and exploitation. Recruitment is in the country of origin on promise of decent wages and conditions and the main transport route is from Europe by car or minibus via the port of Dover into the UK (Cooper et al 2017, p.17).

“Sexual Exploitation which is child sexual exploitation – group exploitation”. This is organised crime but does not tend to be a transnational organised crime. It involves mainly UK citizens as victims and offenders but does include some foreign nationals who are victims and offenders who originate from a variety of countries but are already resident in the UK when they are recruited, transported and exploited (Cooper et al 2017, p.25).

“Sexual Exploitation: forced sex work in a fixed location”. The victims are all female adults mainly from Eastern Europe, but some are East Asian or African. They are strangers to the offenders. The offenders are a mix of male and female usually related to each other, from the same country of origin as the victims, although some OCGs involved in the transnational crime are a mix of nationalities. Offenders arrange transport to the UK by air sometimes using fraudulent documentation for non-EU victims. Debt bondage, surveillance and violence or threats of violence are used to coerce the victims into sex work in brothels, private houses, massage parlours or nail bars (Cooper et al 2017, p.29).

“Sexual Exploitation: forced sex work in changing locations”. The victims are all female adults from a mixture of countries including Hungary, Lithuania, Nigeria, Romania, Czech Republic, Slovakia, Uganda, Vietnam and the UK. The offenders work in smaller groups, composed of male and females, some related and from the same region as the victims but occasionally there are groups from mixed

nationalities. Offenders coerce victims by confinement and violence or threats of violence. They are also subjected to debt bondage and rape by the offenders and can also be found being exploited to commit crime or for domestic servitude. They are advertised online and exploited for sex in hotels, nightclubs, client's properties, short term rented accommodation, vehicles and on the street (Cooper et al 2017, p.31).

“Sexual Exploitation: trafficking for personal gratification”. This could in some instances be construed as organised crime with a transnational element but for personal gratification rather than monetary profit. It involves UK citizens as offenders but has included Ghanaian, Latvian and Indian offenders. All are older than their victims, not usually from the same country of origin, they work alone or in groups and are strangers to the victims. The victims are young female adults some recruited, transported and exploited in the UK others recruited in their country of origin (Ghana, Kenya, Nigeria, Sierra Leone and Latvia) on the promise of employment or relationships. Transportation to the UK is arranged by the offenders. Once in the UK victims are exploited for sex in private residences, hotels or short-term rental accommodation and coerced by violence and/or confinement (Cooper et al 2017, p.33).

“Criminal Exploitation: forced gang-related criminality”. Whilst this typology involves some foreign nationals mainly from Ireland, Lithuania and Poland and is organised crime, there is no obvious transnational element to it. The victims are resident in the UK, the majority are UK citizens, are a mixture of male and female, mainly children but including some vulnerable adults who are recruited, transported and exploited within the UK in the full knowledge of what they are expected to do. Offenders are usually known to the victims, there are some nationality connections and they tend to work in groups with connections to urban gangs. Control of victims is by violence, blackmail and emotion and some receive payment or expensive gifts. This type of exploitation is part of what is known as ‘county lines’, which is urban gangs using dedicated mobile phone lines to deal controlled drugs to suburban areas, market towns and coastal towns (Cooper et al 2017, p.35).

“Criminal Exploitation: forced labour in illegal activities”. Most victims are Vietnamese males; a large proportion are children with little or no English. The offenders are

mainly Vietnamese and Chinese males but include some female recruiters; all are strangers to the victims. Sometimes abduction and kidnap are used to coerce victims as well as confinement in the house where the exploitation of maintaining cannabis grows for no pay is practiced. Violence is also used to coerce victims who are transported, many covertly overland via China and Russia (Cooper et al 2017, p.37).

“Criminal Exploitation: forced acquisitive crime”. Adult males and female children are recruited in Romania and Germany by groups of male and female offenders; some known to the victims. The offenders arrange travel to the UK by land and sea. Once in the UK they are forced to pick pocket and shop lift on the promise of food and accommodation with the offenders (Cooper et al 2017, p.39).

“Criminal Exploitation: forced begging”. Male adults with mental and physical health vulnerabilities from Britain and Romania are recruited in their country of origin. If that is outside the UK they are flown to the UK and driven to different locations to beg under threat of violence. Any money earned (up to £50 a day) is taken by the offenders. The victims live with the offenders who are male and female adults of the same nationality to the victim (Cooper et al 2017, p.41).

“Criminal Exploitation: trafficking for forced sham marriages”. Female victims with mental and physical health or substance dependency vulnerabilities are recruited from the Czech Republic, Slovakia and Hungary. The offenders are a mix of nationalities, sometimes loosely connected. Some belong to local OCGs from the same country of origin as the victims and the exploiters are Indian or Pakistani males. Coercion is by confinement and physical and sexual violence at all stages of the crime, which includes after the marriage (Cooper et al 2017, p.43).

“Criminal Exploitation: financial fraud (including benefit fraud)”. Male and female adult victims and (sometimes) together with their children are recruited from their country of origin (Hungary, Latvia, Romania and Slovakia) by male and female offenders from the same country, operating as part of an OCG. The offenders arrange a variety of transport to the UK. Victims' identities are used to claim benefits, carry out other frauds and launder proceeds of crime. Coercion is by threats of violence and financial control (Cooper et al 2017, p.45).

As already stated, there are overlaps between these typologies and victims can find themselves being exploited for a variety of modern slavery. Similarly, offenders can take part in different typologies and certainly those involved in organised crime will adapt to other forms of crime at the same time as engaging in modern slavery. Recruitment of victims tends to be by way of deception as to nature of employment or conditions of employment.

HMICFRS (2017), CPS (2018) and Sereni and Baker (2018) do not provide much evidence on the makeup of OCGs involved in modern slavery other than Eastern European connections, Vietnamese links to cannabis grows and links to drug and firearms offences through 'county lines.' There is, however, much to be learnt about OCGs through research and synthesis of existing research that can assist with investigation and prevention (Cornish and Clarke 2002).

It is important for the police to be a '*learning organisation*' (Bowers 2008, p271) to develop knowledge on crime and criminals as well as knowledge on how to respond to the criminal threat. OCGs move about more freely and acquire up to date technology without budget constraints and the need to seek authorisation for deployment. They operate complex flat networks that continually adapt. If one link is removed another will appear in its place. The police need to study the complexity of those criminal networks and adapt and re-organise their own networks accordingly. Globalisation should provide opportunities for more efficient network policing by transnational police actors (Bowling and Sheptycki 2012) providing the have up to date knowledge on OCGs. Therefore, this REA has sort to draw increased knowledge on modern slavery OCGs to assist in developing investigative techniques; particularly transnational investigative techniques utilising JITs.

7.1.5 [Disruption of OCGs.](#)

The MSPTU (2019) advocates support for victims and the consensus from evaluating the research for the REA and the wider academic literature is that the priority should be the recovery and protection of victims. Thereafter, the aim of any investigation should be to secure evidence to bring all offenders to justice and dismantle any OCG. The ultimate aim should be to dismantle the OCG without displacing the crime (Tierney 2009) where the criminals adapt and remain one step ahead of the police (Kenny 2008). The REA has

analysed available evidence on disruption of the OCGs identified to see how far that disruption goes toward dismantling OCGs without displacement.

Kelly and Regan (2000) identify some disruption of OCGs by bringing offenders to justice. However, there is little evidence of transnational disruption or dismantling of OCGs. This is due to THB being very much a hidden problem at the time with little intelligence available on the crime, let alone OCG involvement. Despite it being good evidence of a multi-agency response, Balch (2012) identifies problems with the management of the Operation Ruby investigation. It appears that resulted in 13 individuals making up the Operation Ruby OCG being acquitted at court after a two-and-a-half-year investigation.

Annisson (2013) evidences the fact that rather than whole transnational OCGs being taken apart and all participants from financiers and facilitators to enforcers being prosecuted, the focus tends to be on investigating and disrupting the UK end of any operation. An exception was the dismantling of the Romanian Roma OCG targeted by Operation Golf utilising the auspices of a JIT between the MPS and the RNP. There is no mention of how Operation Quest disrupted the OCG involved other than the five arrests that were made. Okobata et al (2014) question the limits of using the disruption of an OCG as a measure for the impact of an investigation. They state that it should go further and draw quantitative and qualitative evidence of the wider cultural, social and economic impact. Silverstone and Brickell (2017) suggest disruption of exploiting Vietnamese victims for criminal work tending cannabis grows does not go far enough. There is a tendency to criminalise the victims and not follow up the investigation further as cannabis is a class B controlled drug and not a priority for investigation by the police.

Cooper et al (2017) suggest some disruption of OCGs by bringing members of the OCG to justice especially where it results in imprisonment. They evidence JITs being used to tackle transnational OCGs. In some cases, especially where the OCG is a tight knit small group all are convicted. However, the typologies described suggest on going larger scale TNOC where OCGs are loose networks which are not fully dismantled. The CPS (2018) looks to profits confiscation, which undoubtedly disrupts the OCG. They also highlight the use of Slavery and Trafficking Prevention Orders and Risk Orders, but such orders need to be subject of future research to assess their impact.

There is some support for JTs having an impact on dismantling transnational OCGs. However, overall, disruption of modern slavery OCGs let alone dismantling of them appears to be sporadic. It is possible that the police have sensitive intelligence on the impact of enforcement and investigation. However, if they do, they do not appear to have the time and resources to assess the impact as they look to academia to assist in that assessment and academia should take up that call (Westmarland and Conway 2019).

7.1.6 [Other Themes](#).

Other themes can be drawn from the REA papers which can assist in the understanding of modern slavery and THB so that offences and OCGs can be investigated thoroughly and dismantled. Several theories, some of which have already been discussed, are highlighted in these themes which offer a wider understanding of the modern slavery problem and the response.

Kelly and Regan (2000) are clear that the best way to understand trafficking would be to include in depth interviews with the victims. They kick off the push-pull discussion, examining the causes of modern slavery and THB. Many victims were vulnerable to trafficking as they originated from poor countries and were drawn to the UK by their own or the trafficker's expectation of lucrative rewards from a wealthy country. They also pushed to tightening legislation so that trafficking was not a '*low risk, high reward activity*' (p.11) for criminals. This suggests rational choices (Cornish and Clarke 2000) are being made by organised criminals, weighing up their profits against the risks. In addition, there was evidence of competitive adaptation (Kenny 2008) in respect of organised criminals moving their activities to UK areas where police and other LEAs, in 2000, paid little attention to trafficking.

Contrary to framing modern slavery and THB as a clear human rights problem Balch (2012) that Theresa May, the then Home Secretary, wanted to scrap Human Rights in order to be able to deport certain foreign criminals and tighten the UK borders. Organisational culture is considered here by Balch (2012) as there can be a lack of joined up thinking between those who make policy and those who implement it depending on the culture that exists. This can have negative effects through literal interpretation that leads to victims not being recognised at borders and victims being criminalised or patronised as evidenced by Silverstone and Brickell (2017) and others in the REA papers. However, there are some positives within

organisational culture that can lead to positive change that can overcome challenges such as those that might arise from Brexit (deal or no deal). As indicated by Severns (2015), it is the people who make up the bureaucracy that make it work and the culture that exists among those people determines the outcome. Therefore, Heere's (2012, p.112) '*willing and able*' people, including police officers, wanting to do their best for victims find ways to bring them justice internally and transnationally through processes like '*policeization*' (Deflem 2002, p.228). This process is explained in the emerging themes from the *Operation Doubrava* research at 8.3 below.

Language difference between nation states has always added to the difficulty of setting up JITs (Horvartits and de Buck 2007). Annison (2013) identifies that it is important to use professional interpreters with relevant experience of different dialects who are psychologically and emotionally able to cope, to gathering evidence from victims, gaining their confidence and supporting them throughout the whole CJS process. They are costly, but this should be budgeted for. Other support should be given to victims throughout the CJS process whether it be for drink or drug addiction or enabling therapy to take place to deal with trauma. Such interventions have been singled out as matters which could undermine the prosecution. However, victims need that consistent support and it should be recognised and managed in consultation with all those involved in the CJS process. Similar support and management is required to facilitate victims to give video link evidence from their home country, for special measures and wider witness/victim protection.

Okabata et al (2014) also offer a solution to the language barrier, this time in relation to helping to understand transnational OCGs. This should be achieved by recruiting a more diverse work force to work on investigations involving foreign nationals and, again, putting resources into recruiting professional interpreters. Human rights are also raised by Okabata et al (2014) this time in relation to the difference in the application of human rights between different countries. This must prove contentious when setting up JITs and ensuring the integrity of shared intelligence and evidence gathering.

Kelly and Regan (2000) raised the lack of intelligence on modern slavery and THB at the beginning of this REA. Intelligence is Information that has been subject to rigorous evaluation and risk assessment, so that it assists the police with decision making (Harfield 2009). According to Bowling and Sheptycki (2012, p85), '*Information is the lifeblood of policing*' in a late modern global world. However, even though the capacity and capability for

acquiring information and analysing it has improved and expanded (Harfield 2009), HMICFRS (2017) found there was a lack of a national intelligence picture on modern slavery. The NCA need to take responsibility for this, but the responsibility also lies with local police leaders who lack commitment to delve further into the local intelligence picture for fear of fuelling an increased demand for stretched resources.

Kelly and Regan (2000) raised the wider causes of modern slavery and THB by raising the push-pull factor. Silverstone and Brickell (2017), also considered push and pull factors in relation to modern slavery experienced by Vietnamese nationals trafficked to the UK and more up to date, Sereni and Baker (2018) continue to examine the causes through push factors. A range of individual and structural factors increase a person's vulnerability to becoming a victim of THB. The vulnerability is caused by systemic problems including insufficient protection from laws, policy and practice relating to employment, migration and social and international affairs. The vulnerability is compounded by poverty, human rights abuses, a lack of social and economic opportunities, dangers from conflict or general instability as result of political and civil unrest, armed conflict and natural disasters.

Sereni and Baker (2018) provide a useful summary to the REA synthesis. They promote more research on modern slavery and THB and whilst they emphasise a need to promote research into causes in order to better inform preventative strategies, they recognise many areas of the response to modern slavery and THB are under researched and that it is important to obtain a full picture.

As with most other papers on modern slavery and the investigation of it, Sereni and Baker (2018) cited the importance of training and awareness raising. They found good examples of both, including good examples of training the police, but with little evaluation to assess the impact of either. They referred to the HMICFRS (2017) report in highlighting the need for sustainable training of the police and raise concerns about a lack of resources across the board to deal with modern slavery and THB caused by budget cuts and poor coordination. That coordination needs to be cross government to prevent modern slavery and THB in the first place by dealing with the causes. This should then reduce the number of offences that need to be investigated. There needs to be a governance framework in place covering all the UK which includes impact evaluation and a clear understanding of the role and responsibility of each Government department and each organisation involved in the response to prevent THB.

Several of the issues raised in the REA are reflected in the discussion on student research in 7.2 and the findings from the *Operation Doubrava* research.

7.2 [Student Research and REA Conclusions](#)

Four level 6 students studying for BA (Hons) degrees in criminology and criminology and sociology, supervised by Dr Richard Severns at SHU, chose to research topics related to THB and modern slavery for their dissertations, which were completed in May 2019:

- Sam Cowling researched, 'The effectiveness of the National Referral Mechanism (NRM) in providing support for survivors of human trafficking' (Cowling 2019).
- Rosie Paul researched, 'How social media can be used to prevent modern slavery?' (Paul 2019).
- Brooke Spivey researched, 'How sexual exploitation has been influenced by social media?' (Spivey 2019).
- Katie Wood researched, 'How effective the UK police are at dealing with child sex trafficking?' (Wood 2019).

All their research was at Maryland level 1. Sam Cowling conducted qualitative primary research by interviewing a purposive sample of practitioners, Rosie Paul conducted qualitative and quantitative primary research using questionnaires circulated on social media and Brooke Spivey conducted qualitative primary research by interviewing a convenience sample from the general public. Katie Wood conducted an extended detailed critical review of the literature.

There are clear themes across all four pieces of research that link with the synthesis drawn from the REA. The main theme is awareness raising. This is a recurring theme in the student research and the REA, especially for police officers and other first responders who lack an awareness of THB and modern slavery and are unable to recognise the signs that should be notified to rescue victims and commence an investigation. Similarly making the general public and potential victims aware of the vulnerabilities. There are, however, solutions put forward in the REA and by the students in respect of forming specialist units, who are proactive in both investigation and raising awareness amongst staff.

Awareness raising issues and solutions evidenced by the students' research include:

- *"It was quite shocking how little other agencies knew. Local authorities didn't even know they were first responders"* (Participant 3 cited in Cowling 2019, p.22).
- *"First responders do not even know how to fill out the NRM form" and "Bobbies on the beat possess little knowledge on modern slavery, let alone the NRM"* (Participant 4 cited in Cowling 2019, p.22).
- *"Most individuals that took part in the questionnaire believe that modern slavery is about people working for less than the minimum wage or people not having a liveable wage.... More needs to be done to provide people with information"* (Paul 2019, p.16).
- 'Ashley' discussing Facebook's 'Protect Your Account' states, *"Young people or children will not know the importance of these settings, and often leave their profiles*

having full access by the public, I do not think these platforms do enough to protect people from sexual exploitation” (cited in Spivey 2019, p.20).

- (People need to be aware that) *“traffickers worldwide are increasingly using social media to contact vulnerable teenagers to sell them into sex work”* Kunz Baughman, Yarnell and Williamson cited by Spivey (2019, p.10).
- When questioned as to how social media can be used to combat modern slavery, the majority of Paul’s (2019) 48 respondents stated it should be used to raise awareness of the threat. She cites Chutikul, stating, *“Citizen reporting is a major area which should not be overlooked. Victims can often be society’s most marginalised members and it is up to neighbours and friends to look out for one another”* (p.17).
- Wood (2019) argues for more proactive police work to investigate and prevent any form of THB and drew similar conclusions from the wealth of literature that the research evaluated from the REA papers did. That specialist anti-trafficking units raising awareness among colleagues and focusing on investigating THB and modern slavery are successful.

Together, these students have sourced mainly qualitative data from academic and other reliable literature, 5 participant interviews, 6 members of the public and 48 social media users. Although, there are limitations in numbers and the convenience of much of the sampling they have gathered data which brings the REA up to date by corroborating the findings. They also go a stage further in identifying social media as a useful tool for awareness raising for the police and other agencies, but with a warning that it is also a useful tool for the criminals. In addition, Wood (2019) acts as an independent corroborative check on the evidence collected in the REA. Even though her focus is on child trafficking, her themed chapter on the effectiveness of the police cites some of the same literature and research sources as the REA. She then discusses similar themes about THB and modern slavery needing more specialist investigation and research, that the police are effective at protecting and supporting victims, but they need to do more and stop criminalising victims, that the police need more training in THB and modern slavery and that multi agency responses protect victims.

This brief analysis of student dissertations demonstrates the benefit they can bring as an extended research source to complement specific research into contemporary policing problems. The students also benefit as it gives their research meaning and an insight into real world application of that research, as well as an insight into working in that world. At least one of the students has been successful in a recent application to join the police. They are contributing to change towards understanding THB and modern slavery as part of a wider TNOC threat and devising solutions for managing that threat, which is the aim of the wider *Operation Doubrava* research.

The aim of the REA and the CRQ was “To evaluate how effective JITs, and other similar interventions, have been at safeguarding victims and investigating and disrupting transnational organised modern slavery impacting on the United Kingdom (UK)?”

The objectives were:

- To provide an analysis of ‘where we are now’ in the academic understanding of how JITs are used to investigate modern slavery and whether they work.
- To provide an early review of the existing literature and research to guide further research into *Operation Doubrava*.
- To assist students with gathering knowledge on transnational police investigation and Transnational Organised Crime (TNOC).

According to the results from the REA, JITs are promoted as a good tool for investigating transnational THB and safeguarding victims of THB and modern slavery. That conclusion is based on some positive results that have been evidenced in the research that show JITs have had some success in taking down OCG networks and protecting victims. However, there is little in the research or the wider academic literature on how and why JITs work and a lack of knowledge amongst the police (and possibly within HMICFRS) on how to set up and run JITs. That is why the more detailed research into the *Operation Doubrava* JIT was needed.

The REA has also developed some understanding of the threat from modern slavery as an organised crime and the extent of the organisation. There is evidence that the MSPTU has increased police knowledge on the organisation of modern slavery (MSPTU 2019), but more detail is required. Without understanding the threat, it is difficult to understand the response and as will be shown in the *Operation Doubrava* findings, understanding the threat was important and that is drawn out in the grounded theory analysis as a themed chapter on 'Modern Slavery as a TNOC Threat' (See 8.1.1).

All the material in this REA will assist student learning and give them pointers on where to gather academic knowledge on transnational police investigations and TNOC. An earlier version of the background to the REA was circulated to students at SHU to assist with dissertation choice and in support of module learning on the criminology degree course. The following chapters provide an analysis of the *Operation Doubrava* findings, which are then analysed together with the REA and student research findings in an overall conclusion.

PART III – ‘FINDINGS FOM OPERATION DOUBRAVA’

“...We got acquainted as humans...as people.” (Chris - Operation Doubrava Investigator).

“Well when it comes down to it, ... it’s about people, and that was my stance right from the very start. It’s around people ...Victims. ... it’s around them victims and people and around that vulnerability that sits within there. Because, as an organisation we’ve turned our mind now to ...focusing on that vulnerability; if you can tackle that vulnerability, you know, it’s a win/win for everybody around there. But the pressures that came were, at that point in time, for me, were more about resources and, not so much a battle but repeated discussions, and the same discussions over and over again on why we should do certain things; you know, why should we fund this type of criminality when there’s all this other stuff going on. So, there was a lot of negotiation” (Jordan – Operation Doubrava Investigator).

8 [Findings from Operation Doubrava Research](#)

8.1 [Operation Doubrava Findings](#)

The completion of the REA and the discussion of the REA findings, alongside a discussion on findings by students from their research dissertations provides an initial evaluation of what works in respect of the investigation of transnational modern slavery using JITs. It provided focus for researching *Operation Doubrava* with the aim of developing knowledge of the police response to Transnational Organised Crime (TNOC) through a critical exploration of *Operation Doubrava* and the role of Joint Investigation Teams (JITs).

The objectives in meeting the *Operation Doubrava* research aim were:

- To understand and share best practice on the investigation of transnational organised modern slavery and the role of JITs.
- To use knowledge gained during *Operation Doubrava* to disrupt modern slavery.
- To understand the potential impact of Brexit on JITs and the implications for collaborations between the UK and European police partners.
- To use knowledge from *Operation Doubrava* to support student learning.

The REA has contributed towards these objectives; especially understanding and sharing best practice on the investigation of transnational organised modern slavery and the role of JITs. Also, the supporting of student learning through the research already discussed and other analysis as part of student assessments in Human Rights and Crime and 21st Century Crime modules. The investigation of transnational organised modern slavery and student research and learning has led to a more detailed understanding of TNOC. Further evidence of that greater understanding is drawn out in the first of the themed findings, 'Modern Slavery as a TNOC Threat' (See 8.1.1).

The development in understanding of modern slavery as a TNOC threat includes a greater understanding of the victims of transnational modern slavery and this is discussed in the second of the themed findings, 'The Victims' (See 8.1.2). The third theme is, 'Transnational Policing of Modern Slavery as a TNOC' (See 8.1.3). The willingness of the officers to develop the transnational investigation of modern slavery and support victims, has been alluded to in the REA and is supported by Heeres (2012) as essential to transnational investigations as part of glocal policing. The '*willing and able*' culture identified by Heeres (2012, p112) has previously been identified by Severns (2015) as underpinning existing '*policeization*' (Deflem 2002, p228) that enables transnational policing.

Bowling and Sheptycki (2012, p3), define transnational policing as, '*any form of order maintenance, law enforcement, peace keeping, crime investigation, intelligence sharing, or other form of police work that transcends or traverses national boundaries*'. In analysing the development of transnational policing Deflem (2002) developed the Weberian theory of bureaucratisation and established the existence of '*policeization*' (p.228) which occurs when police officers, with operational independence from their democratic nation state, meet to investigate crime and create transnational policing processes. The police are bureaucrats and meet at various levels and in different nation state settings to investigate crime and discuss options for dealing with trends in global and transnational crimes. The outcomes of the meetings then result in policy, enactments, and international treaties by the respective nation state governments of the police involved.

Despite the fact policeization leads to agreed government policy underpinned by legislation in democratic states, there are some (particularly politicians) who perceive that increasing professional contact between police from different nation states undermines sovereignty. Further, those critics perceive that a global police state exists, in that police who work on a

transnational basis determine policing from beyond the nation state. As a result, the elected representatives of individual nation states no longer influence policing on behalf of their constituents (Westmarland 2010).

Policeization, however; persists. The Brexit process and associated politicization driven by the perceived threat posed by supra-national bodies undermining sovereignty, could hinder policeization for a while. Nevertheless, Deflem (2002) suggests the willingness of police officers and other law enforcement professionals should overcome any political barriers to continue with transnational policing and the use of JITs between the UK and European police. Severns (2015) found previously, in studying the police transnational firearms intelligence network, that policeization persists, and whilst that willing and able policeization creates transnational networks and contributes to Bowling and Sheptyki's (2012) global policing, the prominent sphere of policing, however; is global policing anchored in the nation state.

According to Severns (2015), UK police are aware of the global impact of crime and respond to it accordingly. The response is based on an initial local assessment of the intelligence and the threat. Hence, the priority is to the nation state and the local impact of crime. To deal with that threat the local police seek assistance from policing partners in other nation states, facilitated by Europol. A similar theoretical finding has been drawn from researching *Operation Doubrava*. It is discussed alongside an analysis of the Doubrava police network in the concluding discussion of this chapter. The clear cross-cutting theme of this study is, 'A Global Victim Focussed Willing and Able JIT Approach (See 8.2).

8.1.1 [Modern Slavery as a TNOC Threat](#)

The first main theme is the threat that modern slavery presents to individuals and communities. From the findings of this specific case study, the threat posed by modern slavery takes the form of a transnational organised crime (TNOC) threat. This issue is discussed by the participants and is critiqued in this chapter by comparing how the participants view the threat and the space in which it operates with the findings from existing academic and policy literature, as well as other data from open source intelligence (OSINT).

It is useful for policy purposes to have a basic definition of organised crime. Our definition draws upon the work of Hobbs (1998), Levi (1998), SOCA (2009 – A/1/5³⁴), Reichel (2005), Levi (2007) and Severns (2012) and it can be summarised as follows:

"More than one person working together over a period of time to commit crime for personal gain. By committing crime, or in protecting their criminal enterprise, those persons present a serious threat to society by way of violence, corruption or damage to the economy" (Severns 2015, p33).

However, organised crime, like all crime, has many manifestations and numerous individual and wide-ranging impacts. This is shown by Hobbs (1998) and many others since, including Antonopoulos and Papanicolaou (2018). Organised crime also results in various responses as evidenced by Sergi (2013) when comparing the structural approach to defining and prosecuting organised crime in Italy with the UK approach of dealing with organised crime as an activity that can be disrupted. Sergi (2013) finds there is an agreed need to strengthen transnational investigation of organised crime and whilst transnational co-operation is difficult, there is a convergence on the likes of profit confiscation which can be developed to enhance transnational police co-operation and investigation. Therefore, the police and other law enforcement agencies (LEAs) should be flexible enough to adapt to any given scenario, allocate resources accordingly and look for common themes to overcome different approaches in different nation states. They should not be bound by tight definitions to allocate finite specialist resources; they should allocate those resources based on the impact on victims and how organised those behind the crime are and take appropriate transnational policing action. The police researched for this paper appear to have done that in dealing with an OCG involved in trafficking human beings (THB) to work as modern slaves by labour exploitation. Those same police also appear to have taken a structured approach to investigate and potentially disrupt the crime by viewing the OCG in question as an illegal

³⁴ OSINT has been used as supporting data in the critical analysis of *Operation Doubrava* and this has been graded. *The grading system used is a combination of the NIM 5x5x5 system³⁴ and the Maryland research evaluation scale. The A to E source evaluation code and the 1 to 4 intelligence evaluation code is used from the 5x5x5 system (ACPO NPIA 2010) and the dissemination code is replaced by the Maryland score (Civil Service 2010); with an addition of 0 where no research is involved or it cannot be ascertained. A Maryland score of 5 has also been awarded where the research evidence used has been the subject of a thorough police investigation that has been tested by the UK judicial system or where a thorough parliamentary or independent commission investigation has taken place based on evidence from a number of reliable sources – see Methodology at chapter 5.*

business structure. They mix the approach to dealing with the OCG, rather than focusing solely on disruption, the latter of which Sergi (2013) identifies as the favoured UK approach.

The question, 'what is organised crime?', is a source of continued argument and debate for criminologists and police (Antonopoulos and Papanicolaou 2018). Hobbs (1998) examined the localised structure of organised crime groups (OCGs) and introduced the term '*Glocal*' (p407) in his journal article, '*Going Down the Glocal*', to illustrate how local organised crime is driven by global influences, such as the global market in illicit drugs that supplies the local drug dealers in the UK. Those local dealers rely on that global market for their product; however, they organise themselves locally and carry out their criminal activity locally. They are rarely a core part of a worldwide network of criminals but are networked into global markets via their local organisation and any harmful impact from their activities are felt locally (Hobbs 1998).

While organised crime is deemed by some to be transnational in nature (Hobbs 1998; Reichel 2005), '*there is a continuum of organised crime activity which is dependent on the type and seriousness of crime, the amount of violence, corruption or economic damage caused and whether it is glocal or transnational in nature*' (Severns 2015, p105). The research for this paper demonstrates that the OCG dealing in modern slavery operated transnationally, trafficking victims between Latvia and England, but the impact was on the victims and how they were treated locally in England and Latvia. It is another form of glocal organised crime that adds to our understanding of organised crime scripts (Cornish and Clarke 2002). Furthermore, this glocally organised threat suggests there is a need to construct a more dynamic continuum of organised crime to which the police should respond with the correct resources. The response should depend on an assessment of the intelligence showing how organised the crime is within that continuum and a risk assessment of the impact ([See recommendation 1](#)).

The debate on how to construct what organised crime looks like is also taken up by Cornish and Clarke (2002) who suggest analysing organised crime using '*crime script analysis*' in order to seek out opportunities for situational crime prevention of organised crime (p42). A rational choice is made by more determined criminals, to plan their criminal activity. They consider the risk of being caught and take dynamic scripted action to avoid being caught. Crime script analysis breaks down the modus operandi of organised crime to show the detailed operations of OCGs, including how victims and other third parties fit within the

script. The script can be used to identify where action needs to be taken to reduce organised crime and to prevent displacement of such crime (Sutton, Schneider and Hetherington 2001, Cornish and Clarke 2002, Severns 2012).

Rational Choice Theory (RCT) has its roots in Classical Criminology in that criminals choose their behaviour freely based on avoiding pain (i.e. apprehension and sentence) and reaping the reward (i.e. getting away with criminal behaviour and profiting from it) (Cornish and Clarke 2014). RCT underpins Situational Crime Prevention (SCP), which is politically conservative in nature and situated within the Administrative Criminological theoretical perspective. SCP advocates implementing a range of actions to reduce the opportunity for criminal behaviour to occur. Clarke (1997, p5) states such action might include reducing *'the availability of handguns'* to cut murder rates. In relation to this study, as Organised Modern Slavers house victims in rented accommodation, action could be taken to ensure landlords of such property make regular checks on who is in occupation of their properties and report suspicious activity to the police. Thereby, discouraging multiple occupancy and reducing the opportunity for criminals to exploit individuals in such circumstances. That must however be followed up with action to prevent housing slavery victims elsewhere to avoid displacement of the crime. RCT is about what criminals do rather than why they do it. By understanding what they do, criminal markets can be targeted by increasing the risk for the criminals (Sutton, Schneider and Hetherington 2001).

The fact that criminals make rational choices means crime can be prevented by implementing such situational preventative measures. This increases *'the amount of effort involved (on the part of the offender) to commit the crime, increasing the perceived risks of being caught, reducing the anticipated rewards of the crime, reducing provocation and removing excuses'* (Tierney 2009, p7). However, critics of RCT and SCP see such action as too simplistic because it does not consider the deeper motivations behind criminals making the decision to offend (Tierney 2009).

Nevertheless, organised criminals do consider the risks, effort, and rewards in choosing which field of crime to operate in and then choose the one that maximises their profit for minimal effort. This can therefore be exploited by the police and other agencies to reduce organised crime by breaking down the script and this can be done alongside considering and dealing with the causes of organised crime (Severns 2015).

The identification of the who, what, where, when, how and (where possible, in acknowledgement of the RCT critics and in consideration of the causes of crime) the why³⁵ of any organised crime process identifies a number of opportunities for preventing organised crime. The more links there are between people and groups involved in the organised crime, the more complex the script becomes, but at the same time more opportunities for prevention. There is an ever-increasing amount of linked crimes, preparatory crimes, '*criminal actors*' and '*criminal equipment*' (Cornish and Clarke 2002, p58) making up a criminal nodal network involving one or several OCGs.

Knowing and understanding the complex crime scripts and the nodal networks involved can help in determining how to prevent, detect and disrupt organised crime (Cornish and Clarke 2002, Kenny 2008, Shearing and Johnston 2010) whether a structure or activity approach (Sergi 2013) is taken. It also helps to break down the crime for investigative purposes as shown by *Operation Doubrava* participants who used a form of script analysis when viewing the Doubrava OCG as an illegal business structure. In addition, by identifying the motivation for the crime, in response to the criticism of RCT, other distinctions can be made to enable wider social controls to be implemented to reduce the causes of crime (Severns 2015).

If access can be gained, further research is required with OCG members to capture a deeper understanding of why they are motivated by gain to see if there is anything more than greed behind it. Victim motivation also needs to be considered as potential victims can be motivated to prevent crime; especially re-victimisation (Paterson 2015) ([See recommendation 2](#)).

In respect of organised modern slavery, the commentator in a recent radio documentary eluded to elements of Cornish and Clarke's (2002) script analysis when they talked about a type of organised crime linked to modern slavery. They evidence the demand for people to maintain cannabis grows for organised crime groups (OCGs) which has led to organised trafficking of human beings (THB) into modern slavery in the UK:

³⁵ Who, what, where, when, why and how are the key questions of intelligence analysis (Kerr 2008).

"One of the most lucrative industries for traffickers is cannabis cultivation, and the number of farms that are based here in the UK has really rocketed over the past few years. And there is one nationality that dominates the scene really, and they are the Vietnamese, and they favour, when they can get them, to bring in young children to work in these factories, these farms, if you like" (Finding Freedom 2019, B/3/0).

Whilst this is not linked directly to THB to work as modern slaves by way of labour exploitation, which is what this study focuses on, it does show the overlap between modern slavery and other types of organised crime and the wide variety of scripts to be analysed (Cornish and Clarke 2002).

The participants in the research emphasised the importance of understanding the organisation of the crime and evidenced different aspects of the script to develop their understanding of the organisation of the crime they were dealing with. This includes how the members of the OCG behaved depending on their physical location at the time.

Billy (a UK police officer) demonstrated a willingness to learn about modern slavery as an organised crime and saw the investigation as an opportunity to develop an understanding of it. When asked what made the investigation move forward, Billy said:

"...the opportunity to understand in-depth how modern slavery operated in (our city) to enrich our intelligence picture. That's one of the opportunities it presented."

Billy then confirmed that once you know what the threat is you need to know how to deal with it and as such improve organisational learning and develop 'metis' (Kenny 2008, p52); particularly if it is a crime not previously dealt with on such a scale by a particular police force:

"(The) second opportunity was to learn how to do this kind of investigation well. And it's often the case when a new form of crime emerges you have to throw the kitchen sink at it in order to make mistakes, in order to go down dead-ends ...your first enquiry goes round the houses to a certain extent to get to the right outcome. Your second enquiry takes a shorter route and by the third and fourth enquiry you're able

to get very quickly from your starting point to your outcome without having to go down. So, there is an opportunity organisationally to learn."

There was not only an opportunity for the police to learn about the threat from modern slavery there was also an opportunity for other organisations to learn. Billy adds:

"...thirdly, it was an opportunity to make a statement to society ...and business ...that modern slavery is there. It's pernicious and we can all have a role in doing something about it."

Gene (another UK police officer) contributes to the crime script to aid the understanding Billy is looking for by viewing the *Operation Doubrava* OCG as an illegal business structure:

"...we ...had a good indication that it was labour exploitation, ...people were being internationally trafficked from Latvia to the UK, so really it was kind of traditional business, labour exploitation business model really that's replicated up and down the country in various industries but essentially the business model is the same.

So, we broke the business model down ...and looked at ...how we could capture evidence at each of those stages of the business model to support the investigation which gave us a really simplistic framework for chasing evidence actually."

Gene continues:

"...recruitment is the first stage you ...find the product ...in this case it's people; ...once

they're over into the UK from Latvia they had to have somewhere to live, somewhere to be controlled from, ...they needed National Insurance numbers, bank accounts, then

they needed a job, so the employment was another source; then there was the

exploitation - once they were here, housed, earning, set up financially, or have the financial mechanisms to be financially viable the exploitation was the next stage so once the cash cows are earning their money it's the exploitation; once the criminals have got their hands on the cash then it's the proceeds of crime – what happens to that, where does that get routed.”

Jordan (also a police officer from the UK) adds to the script by demonstrating the OCG actors are known to each other as members of the same family:

“Was it an organised crime group? Could we say ...it is an organised crime group? ...we were starting to get from the early days, that cultural picture of that family. So, we knew they were working together”.

Alex (a Latvian police officer) adds to the script by confirming the OCG family members were from a Gypsy³⁶ community and that they were not averse to using violence. Alex also adds to how victims were recruited with promises of well-paid work and how they were exploited:

“...we got information from a man that was recruited in December 2016 for work in UK. There were four people. They were promised a better life, income, good incomes and good living conditions but in the end the situations was very bad. People were accommodated in small rooms they were forced to sleep on mattresses on the floor and to work twelve hour shifts six days per week ...there was one case where victim was calling me and said he was threatened by gypsy family member. And the situation was that if he continued supporting police and cooperating then that he could be damaged and get injury.”

Chris (another Latvian police officer) describes how recruitment of modern slavery victims for exploitation in the UK was taking place all over Latvia but the investigation focussed on Riga, the capital. Chris also states that ‘Modern slavery’ is British terminology and that it is referred to in Latvia as ‘Labour Exploitation’. Historically, Chris talks of the Latvian focus being on

³⁶ Latvian participants’ description of the community talked about.

sexual exploitation, but improvement in the Economy in Latvia has led to reports of labour exploitation within the country where Ukrainian nationals have been exploited, making Latvia both a destination as well as a source country. This adds to the economic push pull argument identified in the REA and that together with the increased global movement of people as a commodity by criminals enabled by globalisation and Levi's (2007, p775), '*tools of late modernity*', such as improved travel and technology, adds to the glocal nature of modern slavery. The global and regional economy and global and regional movement of people leads to a local crime impact.

Gene goes on to say that it became obvious that Latvian police help was required to deal with the transnational business set up, demonstrating a willingness to seek transnational help to deal with a problem local to a town in the UK. The OCG members, most from the same family, carried out the exploitation of their victims in England keeping a low profile there and lived a luxury life in Latvia spending the proceeds of their crime on luxury houses, cars and other goods. They also exploited victims in Latvia keeping one individual living in squalid conditions in the grounds of one of their luxury houses and using him as a house slave. In summary, this is a transnational OCG operating a transnational organised crime business with a glocal impact in both England and Latvia.

This is a broad transnational crime script that Gene describes, and the *Operation Doubrava* Team are in possession of more detailed information of the script, which should be captured in a full intelligence debrief ([See recommendation 3](#)). However, it demonstrates the importance of understanding, in detail, how organised crime operates so that it can be investigated effectively by actioning evidence gathering around each part of the script, in this case a business script. Understanding the script also adds to the organisational learning alluded to by Billy, especially when it is analysed alongside the scripts of other OCGs. This adds to the intelligence picture and enables wider action by police and partners to prevent and detect organised crime.

Organisational learning was discussed by Severns (2015). He enhances Kenny's (2008) argument that the police continually adapt '*metis*' (p52) to aim to be one step ahead of the criminals. Such development of metis is prevalent in the investigation of organised crime, whether it is illegal supply of drugs or terrorism as explored by Kenny (2008), illegal supply of firearms as explored by Severns (2015) or modern slavery as explored here.

Development of metis, however, is not restricted to the police. Criminals also develop metis in their quest to be one step ahead of the police by making sense of what has disrupted their activity. They share stories among themselves and develop different practices and routines to avoid detection. For example, changing routes, methods of transportation and use of corruption of police and port officials to circumnavigate increased surveillance and disruption of a particular smuggling route. As such, they develop their organisational learning and a broad range of skills to adapt to ever changing circumstances. Such learning and development of flexible skills is known as '*metis*'³⁷, which is spread through criminal networks and collectively criminals adapt their methods (Kenny 2008, p52).

The metis of the police in relation to all aspects of policing has developed and it has increasingly been underpinned by ethics and proportionality ensuring its metis is legitimate. This has been as a result of learning from mistakes made in trying out new investigations, as alluded to by Billy, and by high profile serious mistakes such as those made by police in the Stephen Lawrence murder investigation and the death of Victoria Climbié. Such mistakes also highlight the difference between police legitimate metis and criminal metis. The police in democratic societies police by consent. They are bound by ethics and proportionality and are expected to get it right all the time. Criminals only have to get it right once to achieve their aims and are not bound by any code other than those that they invent and twist to justify criminal activity, particularly terrorism (Grieve 2008).

The police need to be a '*learning organisation*' (Bowers 2008, p271) to develop legitimate metis that takes account of ethics and proportionality and gains knowledge on crime and criminals as well as knowledge on how to respond to the criminal threat. The police have more efficient but lengthy bureaucratic ways of storing and analysing information to produce intelligence and knowledge and to train their staff in skills for flexible deployment (Kenny 2008). Therefore, they need to continually review and debrief operations such as *Operation Doubrava* to ensure all knowledge is turned into learning to develop legitimate metis. The police could consider using other organisations, such as universities, to help do this and add to academic learning at the same time ([See recommendation 3](#)).

³⁷ Metis is a concept devised by ancient Greek philosophers (Kenny 2008)

There are other differences between criminal and police metis. Both develop metis which is the embedded organisational learning of new flexible skills alongside established older skills, enabling them to improve their knowledge and to adapt to try and exploit an advantage over each other. However, one difference is that OCGs have an information advantage. They know what they are going to do, whilst the police have a monopoly on the use of force, which they try to exploit into an information advantage, by seeking information from criminals fearing arrest and incarceration. Another difference is the OCGs have flatter structures, which are not subject to hierarchical governance and accountability systems that are imposed on the police, meaning the police are not as free to operate beyond nation state law (as suggested by O'Reilly and Ellison 2006 and Bowling and Sheptycki 2012). This results in the police being more reactive than proactive with the emphasis being on reacting to crime within the nation state. This gives the OCGs a flexible operational advantage (Kenny 2008) particularly those groups operating on a transnational basis who are, '*more in tune with globalisation*' (Lilley 2009, p137).

'OCGs move about more freely and acquire up to date technology without budget constraints and the need to seek authorisation for deployment. They operate complex flat networks that continually adapt. If one link is removed another will appear in its place. The police need to study the complexity of those criminal networks and adapt and re-organise their own networks accordingly to avoid operating in hierarchical silos, which is a 'competency trap' that the police keep falling in to' (Severns 2015, p69 citing Kenny 2008). Therefore, whilst they are in prison and once they have been released, consideration must be given to gathering intelligence to see what if any, adaptation the *Operation Doubrava* offenders make to continue their criminal enterprise or if anyone has adapted to take advantage of their absence from the market. Globalisation provides opportunities for more efficient police networking (Bowling and Sheptycki 2012) to reorganise and challenge OCGs, provided the networking is accountable, governed and not rushed into. Liberal democratic states must prevail and work together, subject to due process and they must develop legitimate police metis, underpinned by positive policing culture (Sheptycki 2004, Findlay 2008, Kenny 2008, Leary and Thomas 2011, Bowling and Sheptycki 2012) ([See recommendation 4](#)).

There is a wealth of organisational learning for the police to establish increased metis on TNOC and develop responses in the way that *Operation Doubrava* participants did. They used crime script analysis to fully understand the workings of the OCG as an illegal business

enterprise and how it impacted on vulnerable victims. *Operation Doubrava* officers showed a willingness from the start to understand the organised crime threat.

In summary, the Doubrava OCG fits with Cooper et al's (2017) typology 3 (*Labour Exploitation, where victims for work someone other than the offenders*), with some of the substance misuse and mental health vulnerabilities identified in Cooper et al's (2017) typology 1 (*Labour Exploitation where victims are exploited for multiple purposes in isolated environments*). It was a transnational OCG having a local impact making it a glocal organised crime. It operated as an illegal business using family and community contacts working together to recruit vulnerable people in Latvia on the false promise of good pay and conditions, transporting them by legitimate air transport to the UK and placing them in accommodation and legitimate jobs in the food industry. The victims were exploited in that they were placed in substandard living conditions and their wages were spent by the OCG on luxury goods and property for themselves in Latvia. Further research is required to see how the OCG acquired their metis to develop their illegal business but there are opportunities from the script to identify areas for closing down the opportunity for such OCGs to operate. This includes raising awareness amongst the legitimate businesses who transport and employ the exploited victims, which the *Operation Doubrava* participants are already doing and are keen to do further with the help of SHU ([See recommendation 5](#)).

8.1.2 [The Victims](#)

This chapter, which is the second main theme drawn from the research data, will evaluate and develop an understanding of victims of transnational modern slavery. In this case the victims are also a resource to be moved about and used at the will of the OCG.

Victims of modern slavery may experience forced and compulsory labour, human trafficking, servitude and slavery. Such exploitation takes various forms as it may include forced manual labour, sexual exploitation and domestic servitude (Great Britain, Home Office 2016b – A/1/5). There are often elements of coercion and control present as some of the key methods of control used by offenders are threats and occasional violence, financial control ranging from withholding payment for labour to debt bondage, the control of victims' access to substances such as drugs and alcohol, emotional manipulation as well as restricting the victim's contact with society (IASC 2017 – A/1/5).

Understanding the nuances and complexities of a problem are fundamental to developing the appropriate response. Gaining an understanding into the determinants of vulnerability to modern slavery is therefore a crucial part of dismantling such crime and building effective and efficient responses that encompasses both the objectives of the police as well as the protection and support of victims.

Studies suggest that issues such as poverty, low socio-economic status, lack of education, substance abuse, immigration status, limited opportunities in one's country of origin are some of the key drivers that contribute to vulnerability (Hynes et al, 2018). The factors that highlight vulnerability "*manifest at the international, domestic and individual level*" (IASC 2018, p.12 – A/1/5) ([See recommendation 13](#)).

Kenyon, who interviewed victims for a radio documentary, said of one victim:

"He was an alcoholic and he was so poor he was barely able to feed or clothe himself, and that is when the traffickers arrived on the scene." (Finding Freedom – The Fight Against Modern Slavery 2019 – B/3/0).

This quote brings to the fore some of the crucial factors that make individuals susceptible to being targeted for exploitation by organised crime groups. Within the context of this study, it is important to gain insight into the cultural as well as economic climate of such victim's country of origin. Vulnerability, particularly that of an individual in their social context, emerges as the gap in developing well-formulated policies and practices (UNODC 2008 – A/1/5). Studies indicate that unemployment in Latvia (the country of origin of *Operation Doubrava* victims) "*has been on a downward trajectory since it reached a record high of 20.4% at the height of the global financial crisis (Q1 2010)*" (OECD 2017, p.1 – A/1/5). The correlation between unemployment, modern slavery and THB can be influenced by a nation's political instability thus this may heighten the risk of vulnerable populations since the perpetrators of trafficking may utilise this political climate to lead people to believe they can help them get out of poverty.

Alex, a police officer from Latvia, said of the Doubrava victims:

“They were promised a better life, income, good incomes and good living conditions but in the end the situations was very bad. People were accommodated in small rooms they were forced to sleep on mattresses on the floor and to work twelve hour shifts six days per week.”

The relationship between unemployment in one's country of origin, modern slavery and vulnerability is further emphasised when economic policies fail. It allows for a vacuum where power can be exploited and organised crime groups can thrive as was the case during the collapse of the Soviet Union where various post-Soviet states (Latvia included) collapsed (Broad and Turnbull 2019). This highlights circumstances where, as a result of economic stagnation and unemployment (Mai 2010), women and children become particularly vulnerable and are targeted by traffickers (Broad and Turnbull 2019).

Unemployment can be recognised as both a push and pull factor. It is a push factor because individuals feel the dire need to seek out employment opportunities outside the country. The allure of opportunity, the expectation of a steady income and livelihood drive people into precarious and dangerous situations where they are at risk of exploitation (Cho, 2015).

As emphasised by Andrzej, a victim of modern slavery who was not part of *Operation Doubrava*, but who captures how a lot of victims (including the *Operation Doubrava* victims) are drawn in by the promise of a better life:

“They promised me job, 100% that I will get a job and I will be paid good money. The only thing was that I was supposed to give them 50% of what I earn to cover my place to stay and for food” (Finding Freedom – The Fight Against Modern Slavery 2019 – B/3/0).

In addition, it could be noted that an increasingly integrated global economy that encompasses the free flow of capital, free trade as well as cheap foreign labour markets play a significant role in the commodification of particular individuals for economic means as *“globalization fosters interdependence between states”* (Brewer 2009, p.47).

Gene, an *Operation Doubrava* officer from the UK highlights globalisation and the glocal impact:

“(With) globalisation, the world is a smaller place and actually Latvia is a £25 flight away within 2 hours. A lot of these victims come from small towns, small villages, there’s only 2 million people in Latvia so it’s very easy to trace people in a region. And it was clear from this job that stuff was happening over there as a result of stuff that was happening in the UK.”

Looking wider than *Operation Doubrava*, there are other vulnerabilities drawing victims into modern slavery which policy makers need to consider, as alluded to by Baljit Ubhey; a CPS witnesses appearing before the Home Affairs Select committee:

“Let me draw out how difficult it is in this particular space, because I think the issue is magnified here. It can be because of immigration status and other vulnerabilities. ...There are some really good examples of proactive and innovative prosecutions. We have had the first prosecution for extraterritorial provisions: it was a British citizen who was trafficking women from Nigeria into Germany for prostitution. Where the victim support in this case was particularly pertinent was that in Nigeria, they performed a juju ceremony that then added an extra dimension of compliance for the victims in being trafficked. When it came to bringing that case to court and prosecuting and keeping those victims on board, we addressed that issue by organising for someone to reverse the ceremony so that the victims had confidence that they were not somehow going to be cursed by giving evidence against the defendant. We also called in a cultural expert to explain all of this to the jury so that they could understand why these women went along with this. I think that is a really good example of highlighting some of the complexities around victim care and support” (Great Britain, Home Affairs Select Committee 2019 – B/1/5).

This illustrates the importance of viewing the victims lived experience in totality as forms of vulnerability, culture and other societal factors may collide to highlight a unique and complex experience of disadvantage, psychological entrapment and potential cultural barriers that hinders individual’s willingness to come forward. An intersectional lens focusses on contextual realities and thus accounts for the challenges and barriers victims may face (Cho

et al 2013). Adopting this perspective helps identify the most significant ways in which they are exploited but also allows for the identification of the means through which they can be supported and arguably the most critical points of intervention. ([See recommendation 13](#)).

“Human trafficking does not occur in social and political isolation. When the circumstances that allow for and support the forceful theft of human labour are de-constructed, human trafficking is squarely located within the larger context of workers’ rights, immigrant rights and human rights” (Wolken, 2006 p.409).

The consequences of not accounting for the various complexities of the victim’s life arguably leads to circumstances in which, as stated by Chief Constable Shaun Sawyer, they:

“...are being criminalised. They are being seen as illegal immigrants. They are being seen as perpetrators of crimes instead of victims. It is this constant reinforcement by the failures of our authorities that exacerbates these issues and means that victims are not coming forward.” (Great Britain, Home Affairs Select Committee 2019 – B/1/5).

It could be argued that the implementation of certain legislation undermines as well as contradicts the Modern Slavery Act. For instance, provisions within the Immigration Act 2016 undermine the Modern Slavery Act as it creates the offence of illegal working, in spite of the significant evidence that indicates that numerous victims become undocumented or have their insecure immigration status used as a means of control by their exploiters and a means of detracting law enforcement attention. This exacerbates and perpetuates the mechanisms that keep victims at bay and in positions of exploitation as, again stated by Chief Constable Shaun Sawyer:

“Understandably, victims are afraid of the authorities and traffickers will reinforce this by saying, “We have links with law enforcement. If you run away from us, they will bring you straight back to us or they will lock you up and they will deport you.” Unfortunately, what happens when vulnerable victims come into contact with these authorities is that that is what is happening.” (Great Britain, Home Affairs Select Committee 2019 – B/2/5).

Labour Exploitation Advisory Group's 2019 report identified 143 victims of trafficking that experienced immigration detention either before or after they had been referred to the NRM. The report highlights that in some cases, they are kept detained in spite of having a Positive Reasonable Grounds decision that indicated they are likely to be victims of trafficking. In other cases, they are kept detained even after their referral into the NRM (LEAG 2019 - A/1/5). The detention of potential victims of trafficking indicates a systemic failure as a result of the Home Office overseeing tackling modern slavery as well as immigration.

Systemic failure is an issue that emerged as stated by Kenyon in the radio documentary:

"Here is the most surprising design fault of all. Even when the NRM says yes, it believes you are a victim of trafficking, support currently only lasts 14 days. Imagine waiting years to discover that. Yes, victims hope it will increase their chance of asylum, but Andrzej is European, and in theory has rights in the UK anyway. It was the support he needed. Those working in the sector call that abrupt withdrawal of food and shelter 'the cliff edge'. Andrzej has just fallen off it and onto the streets."
(Finding Freedom – The Fight Against Modern Slavery 2019 – B/3/0).

This highlights a significant design fault that has potential dire consequences for victims. The NRM decision process is unacceptably slow and as a result, the lengthy period leaves individuals susceptible to facing issues such as destitution, homelessness as well as vulnerability to further victimisation. Studies suggest that even once an individual has conclusively been recognised as a victim, there are significant gaps where protection and support is concerned. For instance, those conclusively recognised as victims would receive statutory support for the duration of 45 days (increased from 14 days) after which many had to leave the safe house without any continued support from the state (Anti-slavery, 2020 - A/1/0).

This is significant when compared to post-NRM reports such as that of City Hearts whose findings indicates that *"longer-term support increases survivor resilience to re-trafficking by 82%"*. In addition, this emphasises the notion that *"76% of people leaving the NRM ended up in unknown circumstances"* (City Hearts, 2019 - A/1/1).

In respect of *Operation Doubrava*, it is not clear if there were any challenges with the NRM. However, it is clear that the investigation was victim centric and this was a priority pushed by the UK officers. Gene states:

“We were out there so we could explain the UK court procedures and we were there to engage; ...the UK law enforcement has got a really victim centric approach around Modern Slavery and Human Trafficking and lots of other criminality but again the approach is different in Latvia, completely different, the police are a lot sterner, I would probably say in this case maybe not so victim centric and it's around, you know, but we're on Latvian soil treating victims how we would in the UK, doesn't fit with how the Latvian cops necessarily treat victims.”

This statement suggests the operation of two contrasting policing systems as the English and Welsh system purports to be more victim-oriented, whereas Latvia is deemed to be more offender-oriented. In addition, it also emphasises the notion that a state's legislation forms the legal foundation for all actions and judgements of that state's judiciary which in turn informs its law enforcement agencies as the legislation translates into policy that sets the permissible or not-permissible sets of parameters.

Policy trajectory studies continue to indicate the importance of embedding the interests of the victim within the criminal justice process and such trajectories have informed the development of policy initiatives that reinforce the psychological and democratic significance of placing victims at the core of any police response. The reconfiguration of social relations that give light to police-community dynamics is thus possible in order to establish public confidence in the police as well as deliver policing services that are effective and efficient (Paterson and Williams 2018). It could be argued that the UK is yet to fully realise its aspirations where a victim-oriented approach is concerned as in a statement made by Billy, another UK officer, the victim code:

“struggles to address the issues of that transnational multilingual aspect to an enquiry where the commodity involved has been a person...the victim's code underpins everything that we do”.

A victim-centred approach places a systematic focus on the needs and rights and, in essence, seeks to safeguard the victims' well-being in all matters and procedures by prioritising a personalised as well as trauma-informed perspective in order to minimise traumatisation when protecting and supporting the victim (Artinopoulou et al 2018). On the other hand, an offender-oriented approach to policing tends to prioritise the interests of the state and is process driven in nature (Paterson and Williams 2018).

Tyler (1990) suggests that individuals that view police procedures as fair are more inclined to deem the police services as legitimate. Scholars such as Koster et al. (2016) have subsequently assessed the impact of procedural justice on the victim's experience of the criminal justice system. Most studies indicate variables such as *"the quality of victim-officer interactions, the level of information provided about the victim's case and criminal justice procedures, the perceived sympathy and supportiveness of police officers and the perceived fairness of criminal justice processes"* as significant precursors of victim satisfaction" (Healy, 2019 p.17).

There is evidence from the interview data of the Latvian police's efforts with regard to taking the victim's interests into account as well as significant strides made in garnering public trust as highlighted by Alex:

"It was very difficult locate them for cooperation. But we tried to do our best we often made contact with victim asking about 'how did you feel? Are you good, are you ok?' Because for example there was one case where victim was calling me and said he was threatened by gypsy family member. And the situation was that if he continued supporting police and cooperating then that he could be damaged and get injury. He informed us and we initiated the case to the person that was taking him and put him in custody for two months. It was also very useful too because after that we shared that information with victims and they really saw that police works and that we can save them and protect them".

This brings to the fore that in order to counter social processes that undermine trust in state institutions trust and legitimacy are an essential part of maintaining the police function as *"trust will influence decisions to summon the police to a specific situation, how the actions of*

officers are read and understood, and what implications are drawn from them...By engaging in such actions, individuals are not only acting on their trust in the police and reproducing its legitimacy. They are also engaged in acts of social control that bridge the gap between formal and informal mechanisms" (Bradford and Jackson 2011 p.5).

This arguably contributes and facilitates circumstances in which, as stated by Alex:

"the level of trust to state police is the biggest one and this year it was more than 60 percent".

Gene highlights the potential different approaches to victims between Latvia and the UK:

"At one point I was, not brought to task but there was comments made to me about me appearing too soft with victims and shaking hands and smiling etc which might make the police look weak. So, there was those kinds of things. We'd spend a long time engaging with victims in the UK, certainly around this criminality, to make them feel comfortable so they trust law enforcement and actually just because you get an account or an evidential account off somebody it doesn't mean that they'll follow through at court so you want to continue the engagement to make them feel supported etc where in Latvia it's completely different, they can prosecute victims if they think they're not telling the truth...but we would never do that in the UK".

This statement illustrates the importance, particularly to UK law enforcement, of establishing and building a rapport with victims in order to facilitate trust as this rapport is crucial to not only ensuring the victim is at ease (thus minimising re-traumatisation) but also improves the likelihood that the individual will cooperate with law enforcement where evidence gathering and prosecution proceedings are concerned. This rapport is arguably crucial as victims are often already distrustful of law enforcement and thus may be perceived to be difficult or uncooperative for various reasons such as the fear of deportation for those with precarious legal status as well as psychological snares instilled by their exploiter (IOM 2019 – A/1/0). A systematic evaluation of 15 studies conducted globally to assess victims' perception of procedural justice and their willingness to cooperate with law enforcement found partial support for the theory. Victims who felt fairly treated were more likely to characterise the

police as legitimate. However, findings regarding the link between legitimacy and willingness to cooperate were ambiguous. It is however suggested that the inconclusive findings could be as a result of methodological issues due to the studies being drawn from varying jurisdictions and utilised different measures of procedural justice (Koster et al 2018).

A statement made by Gene provides support for the notion that building a rapport can be beneficial for both the victim as well as where evidence gathering and other objectives that lead to successful prosecutions are concerned. In addition, it offers insight into the application of good practice:

“we’d spend hours engaging with victims and they got comfortable with the environment, comfortable with the cops they were dealing with, comfortable that the other victims that they may have been friendly with were at the same location but we’d always used video interview facility that was away from that location.... So you’d spend hours engaging with them, get them feeling comfortable and then say well right we’re going to bring you away from all the people you’re comfortable with, put you in the back of an unmarked police car and take you to a police station to interview you. So there’s lots of cultural differences at play, a lot of the victims maybe are not that trusting of law enforcement agencies in the countries where they come from, they’re taken back out of their comfort zone again and we found actually that at the point we were going to try and put them in the back of a police car to bring them for an interview they kind of had second thoughts and began to wobble and withdraw their consent maybe. So for this particular one we were kind of blessed with having some relevant recent experience and we decided to try something different and use some mobile video interview kit and have a separate room where they could be interviewed where they knew they’d have access to all the support workers, they knew that the other people they were in the situation with were still there.”

There is an increasing need for training and sensitisation of professionals in victim-friendly practices and the need for an increased awareness regarding sensitivity to the special needs of such vulnerable individuals as of key importance. For most victims, police officers are often the first point of contact with authorities thus placing them in a vital role for enhancing efficiency of support and protection where victims are concerned (IOM, 2019 – A/1/0). As the first point of contact, police officers may be tasked with assessing the victim’s specific needs, the provision of relevant information as well as the referral to the appropriate support

services. Therefore, it could be suggested that a well-established and efficient police referral mechanism constitutes as a crucial component in the foundation of an effective support system (Artinopoulou et al 2018). Training is thus needed to change behaviour. However, training alone is unlikely to have any real effect without the monitoring and assessment of the changed practices.

As a result of the *Operation Doubrava* JIT Latvia officers have started to train their staff in video interviewing of witnesses. Gene alludes to how this came about:

“under Latvian law, when they’re speaking to a witness or conducting an interview like that they have to take a written account of what’s happening, but that goes against whatever we do for ABE interview or video interviewing here. The first one we did with a vulnerable victim we did the video interview with a Latvian cop leading it, with one of mine monitoring but at the same time as doing the video interview we should be conversational. He took a micro-detailed written statement which and the product was dreadful actually, it took hours and it was just not engaging with the victim - that particular victim was difficult anyway – so it just didn’t work...I was out there while that was happening so it was a sit down with the SIO to say look, this isn’t working, that written statement that you’ve got will never see the light of day in a Latvian courtroom as evidence, we won’t use it as evidence in the UK.”

Chris, a Latvian officer, then emphasises that they are developing their approach to victims based on *Operation Doubrava* and other transnational investigations:

“We have learnt quite a lot from international experiences. We have learnt about victim care, witness care which we did not have before, but we are learning that. ... Britain ...have also got a lot of NGOs and there’s cooperation between police and NGOs. In Britain financial means are a lot higher than in Latvia and of course we don’t have that much funds available in comparison to Britain, but we try our best. Together with NGOs we constantly arrange for training procedures and training courses for social services, for schools etc just to help to recognise human trafficking and human trafficking victims etc sort of special learning courses. We do learn every day, we do learn from each case but regarding Doubrava we saw...we noticed how British police normally do interviews regarding technical stuff for instance audio

video...from a technical point of view. We have tried doing it ourselves as well using from a technical point of view but we thought it's pointless really to invent the bicycle again so we decided to just take over what they are using so we would use that.."

This provides insight into the notion that perhaps there needs to be a re-evaluation and restructuring of the victim-officer relations on the Latvian front as the 'micro-detailed statement' and the lack of engagement with the victim during the interview process proved to yield inadequate results. However, as can be seen from Gene and Chris' statements Latvia officers are aware of the issue and are taking steps to improve gathering evidence from victims and witnesses and to support them through the criminal justice process. Challenges regarding victim engagement as well as victim-officer relations were also evident in other investigations which underline the evidence given to the Home Affairs Select Committee.

Billy notes:

"We'd done a number of modern slavery interventions in the past and it became apparent to us that one of the reasons why previous investigations probably didn't get the outcomes they want...didn't get the charges they deserve was because we didn't work hard enough to keep our victims on side, didn't work hard enough to keep our victims engaged and as a consequence they just disappeared to the four winds."

Achieving Best Evidence in Criminal Proceedings guidance suggests that *"training alone is unlikely to deliver effective performance. Training needs to be set in the context of a developmental assessment regime. Such a regime should deliver a means of quality assuring interviews, while developing, maintaining and enhancing the skills of interviewers. The regime should be supported by an agreed assessment protocol. In the case of police interviewers, such a protocol should take account of the National Occupational Standards for interviews with witnesses developed in Skills for Justice. Agencies regularly involved in conducting interviews with witnesses should have the necessary policies, procedures and management structures in place to quality assure interviews on an ongoing basis"* (CPS 2011 p.9 – A1/0).

This indicates that training alone does not bring about a change in behaviour. It must be accompanied by those trained putting into practice what they have learned and being

monitored and assessed on the quality and effectiveness of those changes as having an assessment protocol allows for quality assurance to take place.

There was some evidence of this taking place in the *Operation Doubrava* case where UK and Latvian officers worked together on witness video interviewing of victims. As evidenced by Gene:

“There was a debrief after each interview and the same UK cop did those video interviews...and the same Latvian cop did them all. I can’t remember how many we did actually...and they got better on every occasion and the two of them got a lot out of working towards getting something that was considered really good and the improvement from the first to the second one was immense. So that was just one example of a system that they don’t use, you know, they would have probably got something out of it professionally I would think; I was asked to provide information around the kit that we used, the mobile interview kits, so it might be something that they look at utilising in the future.”

This statement highlights a good working rapport between both law enforcement agencies and a willingness on both fronts to compromise and come to a consensus in order to achieve the overall objective. It also offers insight into a recognition by the Latvian law enforcement that there are perhaps some necessary adjustments that need to be addressed within their system. In addition, UK officers were also provided vital insight into the start of this particular trafficking and exploitation cycle. There is evidently an openness by the Latvians to address these methodological issues as the statement suggests further information was sort after. Overall, there is indication of an adaptation of good practice. However, it could be argued that in order to not only uphold quality but also to ensure sustainable change, monitoring and assessment procedures are essential. This will in turn facilitate accountability with regard to adhering to particular standards (CPS 2011 – A/1/0).

In summary, the data suggests the *Operation Doubrava* JIT did support victims and put them at the centre of the investigation and this appears to have led to a successful outcome in that evidence was secured and offenders were brought to justice. However, the *Operation Doubrava* research data taken together with the REA and the recent OSINT shows that even though there is a greater understanding of modern slavery victims by the police and they are

well supported by the police there is still room for improvement to ensure police and other agencies at all levels in all countries strive to support victims and put victims first in any modern slavery investigation or prevention operation. Both the UK and Latvia recognise this as a challenge, and both are taking steps to move forward and there is no doubt the *Operation Doubrava* JIT enabled some steps forward. Therefore, other JITs should look for similar victim outcomes and there should be a cross government/cross agency victim focussed approach to modern slavery and all organised crime (HMICFRS 2017 - A/1/1, Sereni and Baker 2018 and Menichelli 2020).

8.1.3 [Transnational Policing of Modern Slavery as a TNOC](#)

This chapter, on the third theme drawn from the research data, identifies and analyses the key police nodes within a network of policing which forms the *Operation Doubrava* transnational response to a modern slavery OCG. The response protected victims and brought OCG members to justice. Nodal network analysis has been completed alongside the grounded theory analysis of *Operation Doubrava* showing where the power and the governance lies (Castells 2004, Shearing and Johnston 2010). As with Severns' (2015) analysis of the police firearms intelligence network this chapter considers whether the *Operation Doubrava* network is global and whether some politicians are right to believe a global police state exists (Westmarland 2010).

The current literature and the REA do mention the police network that contributes towards the transnational policing response to modern slavery as a TNOC and how that network operates. However, the detail is limited. Therefore, this chapter clearly articulates the existence of the nodes and the network that they formed for the *Operation Doubrava* investigation (See Appendix 10.5). Like the police firearms intelligence network, which was anchored in the UK with a strong UK nodal representation (Severns 2015), the glocal element of the *Operation Doubrava* OCG, and the crime being investigated, has apparently been matched with a networked glocal policing response rather than a global police state response. In this case though, a single crime was investigated using a JIT. The formal establishment of the JIT contributed to ensuring policing sovereignty in each nation state (Latvia and England and Wales) was maintained.

Derbyshire Constabulary, one of the 43 English and Welsh police forces, initiated contact with Latvia Police through a transnational network which forms part of Bowling and Sheptyki's (2012) global policing. Both police forces fully engaged in the JIT to investigate an organised modern slavery conspiracy and the policing impact was local. Each police force helped each other in the investigation but maintained their local nation state integrity. None of the police nodes were obliged to engage with the JIT or form part of a glocal network. It was down to the discretion of the police officers making decisions on how to progress the investigation and whilst none of the participants mention the police decision making model (CoP 2014c – A/1/0), that model appears to have been followed by those making the decisions in a natural, ethical way.

The first node in the network identified by the research analysis is the Derbyshire Constabulary. A UK participant discusses, with reference to Derbyshire's involvement, the developing UK police response to modern slavery and how it is viewed within a perceived hierarchy of organised crime.

Gene, stated that labour exploitation as organised modern slavery had not previously been a focus for police officers:

"There is a bit more of a focus (by the) team to conduct investigations into labour exploitation so I think that's criminality maybe that, ...I don't think it has had the focus there before this job".

Gene emphasises they were dealing with organised criminals but that the police do not prioritise labour exploitation as much as other types of crime (whether organised or not) under the modern slavery umbrella. However, intelligence obtained in the initial stages of the operation and subsequently through the JIT showed the bigger picture and emphasised a threat to the victims. *Operation Doubrava* staff clearly established what they were dealing with and needed to justify it as an organised crime priority, which they did:

"...labour exploitation could be considered at the lower end of risk of Human Trafficking and Modern Slavery when you balance it up with sexual exploitation, organ harvesting, child sexual exploitation, all that kind of stuff, forced criminality,

labour exploitation is seemingly at the lower end of that. We were dealing with an Organised Crime Group and they weren't playing by regular rules, ... (there was) witness intimidation, people had been threatened, assaults, you know, that type of thing and ... (when) you get the intelligence through the JIT ...you know what's happening overseas..."

After identifying the existence of possible modern slavery offences, following a report of domestic violence, Derbyshire Constabulary pursued the establishment of a JIT with support from other nodes that formed the *Operation Doubrava* network. They were the NCA and Europol. First, the initial response is described by Gene who also identifies the importance of raising awareness of modern slavery and training amongst first responders, who in this case were uniformed police response officers from Derbyshire ([See recommendation 6](#)):

"...on the 17th February (2017) ...a taxi call handler ...reported there was an assault ...uniformed officers ...attend ...what they thought was a domestic violence incident. So they attend, find (a female) who's at the top of the chain for Operation Doubrava and the male suspect ...who wasn't identified at that point - fled the scene and then over the subsequent few days the team that put the initial response in to the domestic violence incident identified, through looking at CCTV at the location they identified who the suspect was and a couple of days later they went round several addresses looking for (the female) and the cops that went to each of those addresses were presented with circumstances that didn't feel right to them; there was mattresses on the floor, numerous Latvian people there, Roma-Latvians and then white Latvian nationals. Due to all the training and the awareness around modern slavery that they've received within the force and everything that people see on the TV and whatnot, they just thought that something wasn't right and they suspected it might be a case of modern slavery or human trafficking. They wrote a report and fed it into CID; one of the addresses that they visited during that round of searching for the suspect ... tied (into an) address that was disclosed by ...(a) victim that had gone to the Council House a few days before."

Jordan talks about how the response to the report of domestic violence and the report to the CID was reviewed:

“So a job gets highlighted just through normal processes, it’s not highlighted because it’s any different from any other domestic abuses but it’s just one of those that ... needs to (be) reviewed and within there when you start to look at some of the information and how uniform cops have gone to look at various things to support domestic abuse victims, it was quite obvious from the outset that there was actually more to the job than actually originally came in.”

In addition, Jordan highlights the need for police and others to understand the vulnerability of victims per se and how they become vulnerable to being exploited as modern slaves. He also highlights the local visible impact which tends to be dismissed as a local nuisance rather than a vulnerability to becoming the victim of organised crime:

“Some cops won’t get it, some government organisations won’t get it, because they just see somebody as being pissed up. They see them as an anti-social problem, they don’t see them as their vulnerability being targeted. ... what I see now is because of how they recruited out in Latvia, they were down on their luck, they were just approached because of their vulnerability. They were made to do things like drink and drinking beer, looked after, they were pissed all the time, that’s what they liked because it’s the only time that anybody has ever actually shown them any compassion or wanted to look after them; so real exploiting of that vulnerability, and I think from a UK side of it, again, without going over it, what we’ve not switched on to is, any of that vulnerability, ...that’s one leap that policing does need to make; they see it as little anti-social behaviour, they see it as bit of low level begging and this that and the other. Rough sleepers in town, you still get them don’t you, and they congregate at night in a specific area. Well if an organised crime group, somebody who has got that controlling behaviour, somebody who has got the network to do things and put them into work. Somebody who is able to come across as being able to give them a better life, they can easily be manipulated.”

Jordan then adds some critique of the police response when talking about police working in silos and not seeing the whole picture as a result. Kenny (2008, p24) calls that the ‘competency trap’ that the police keep falling in to. The police need to study the complexity of criminal networks (which they have during *Operation Doubrava*) and adapt and re-organise their own networks accordingly to avoid operating in hierarchical silos (Kenny 2008) ([See recommendation 7](#)):

“Now one thing that, that happened within Latvia is, there’s not much around drug abuse, it was mainly around alcohol. So if you couple that within the UK around alcohol abuse, drug abuse, domestic abuse, child abuse, child sexual exploitation, and you couple all of them, if somebody really wanted to target them for modern slavery, they can, and that’s what people don’t get, and they don’t get it because they will deal with it as domestic abuse in isolation. Exploitation sexual exploitation, children in isolation. Because they see kids, they’re vulnerable, they’re the ones that give us the most calls for service, they’re the ones that go missing on a regular basis. If somebody’s so mind-set, because we deal with them in isolation, and we’ve got different departments to deal with them in isolation, they could easily become the next slave. Or when I say slave, you know, they would potentially be subjected to modern slavery around there, and that’s a leap that organisations do need to take but you, I think that, and it’s only the world according to (me), I think that organisations won’t make that leap because they will just deal with it in isolation.”

Therefore, organisational learning for the police is important if they are going to keep pace with ever developing organised crime. The police need to continue to develop metis (Kenny 2008) by debriefing operations and investigations and spreading the knowledge that comes from the debriefings to reorganise and keep one step ahead of the organised criminals. The policing degree courses should provide opportunities for researching and debriefing operations to develop useful knowledge and engrain it as legitimate metis within the police and other LEAs ([See recommendations 3, 4, 5, 6, 7 & 8](#)).

Developing metis includes developing the response and that response needs to be considered and prioritised against other policing priorities. Participants have already stated that modern slavery is not seen as a priority organised crime for the police and Jordan discussed the challenges faced in allocating resources. Some of this resulted from other police officers being sceptical and having other missions in mind, part of that being down to previously identified police cultures (Chan 1996) and some related to practical concerns about other priorities. However, this was overcome by more senior officers being willing to listen to the intelligence being put forward to support a fully resourced organised crime investigation based on a principal of reducing the threat to victims and making their rescue the priority. As evidenced in other parts of the world by Heeres (2012), this was then supported by a willing and able culture among the investigation team. The members of the

team had been enabled to do their job by senior officers willing to adapt to the circumstances, looking at the local impact of the crime and allowing investigating officers to engage with a global police market to use transnational police resources by way of the JIT.

As previously identified by Severns (2015) within the police firearms intelligence network, the police in Derbyshire took a willing and enabled glocal policing approach to deal with a glocal crime. However, this was not without difficulty, in that the UK *Operation Doubrava* staff were up against set processes to determine whether what they were investigating was organised crime and whether it warranted prioritisation of resources. This process tended to be lengthy, but the *Operation Doubrava* staff could see that victims were suffering, and they needed to act.

Bureaucratic processes underpin the workings of an organisation including all the organizations in the Doubrava police network and despite negative views of some towards bureaucracy and some negative use of the word, bureaucracy makes an organisation strong (Kelly 2008). It underpins Deflem's (2002) policeization and organisations need bureaucracy. However, it needs to be recognised that it is people who make the bureaucracy work and their voice needs to be listened to. Therefore, sometimes there is a need, with management control, to allow flexibility in some of the bureaucratic process. The 'one best way' can be challenged in that it does not allow for flexibility in a changing environment (Gajduscheck 2003) and the police, as a bureaucracy need flexibility in dealing with any criminal threat by way of problem solving (Paterson and Pollock 2011).

Jordan stated:

"...it's quite obvious that, as we would say in Policing terms, there is a job in it, you know the information and the intelligence that we found, there's a job in it. That's when some of the political battles start to come in because people have thrown modern slavery about and not really understood the depth (of the problem). There was the battle of well if we are going to treat it as a longer-term investigation does it ...fall under the organised crime mapping. But of course that's where then there's the rub because I understand from my previous rolls around organised crime routes and the mapping of them and how that works and some of that how long it actually takes to get things through the mapping process and all the intelligence research that goes

through it, and I wasn't prepared to let ...that mapping and that bureaucratic, not bureaucratic you know I wasn't going to allow an admin process get in the way of the investigation and where that needs to be and the reason behind that is, is because it was quite obvious when the detectives started doing their research work around financial people that have come in as they travel and where people were working and it's quite obvious there is a victim background starting to come out."

Jordan then talks about a political pressure around competing demands:

"I would have that political pressure from above saying why are you dealing with this, which is scoring quite low, you know, when I fact we've got all of these here that need somebody to look at because there is a lot of pressure and risk within them. So, this is where, rightly or wrongly, somebody said you should have entered it into the mapping process, well, I said well let's do that ...but we are doing it alongside our investigation. But the mapping process ...dropped off, which ...(paid) dividends to us because it allowed ... me to ... go to my senior managers and saying this is the scope of what we've got ... I am going to have to take resources from the hub, that's our local sort of thing, and to do that it's going to add pressures to other areas of business. And then that's where other people start to look at it and say well why ... should we actually take an investigation on that, really when we've got higher risk, we've got people shooting and people being stabbed, this, that and the other, why should we? Well when it comes down to it, it's all around that, the initial mind-set of well it's about people, and that was my stance right from the very start. It's around people. ...it's around them victims and ... that vulnerability that sits within there. Because, as an organisation we've turned our mind now to ...focusing on that vulnerability; if you can tackle that vulnerability, you know, it's a win/win for everybody around there. But the pressures that came were, at that point in time, for me, were more about resources and, not so much a battle but repeated discussions, and the same discussions over and over again on why we should do certain things; you know, why should we fund this type of criminality when there's all this other stuff going on. So, there was a lot of negotiation with (senior leadership) ...so being political aware ... is quite key."

Jordan then introduced the wider politics of policing and the influence of Government on UK police priorities, but a police service not necessarily geared up to deal with modern slavery.

This suggests politicians, particularly those in Government do have an influence and should be considered to be a node in the *Operation Doubrava* network. However, when there is a lack of knowledge on dealing with a particular problem, like transnational organised modern slavery, the police tend to fall back on the usual more media visible priorities such as violent crime involving the use of guns or knives to justify not taking action with finite resources:

"I'm quite well aware that when you start to talk around governments and the pressures that come from government around what priorities are, and there has been a lot, you know, over the years there has been a hell of a lot of talk around modern slavery and Theresa May giving her big speech around that and then that has followed on through various home sec's and then it's become, started to become then a priority for all the forces. But it might have become a priority, but what was quite evident, right from the start is, it might be a priority, but we don't know how to deal with it."

Jordan continues, with his description of how the investigation unfolded and emphasises that with the support of a local area commander, even though the investigation became costly in terms of overtime and use of resources, it received the support of the senior leadership of the Derbyshire Constabulary. From a wider political point of view, it also received the support of the local PCC (another node in the *Operation Doubrava* network), all based on a joint commitment to dealing with victim vulnerability at all levels:

"...there is a lot more vulnerability underneath. But the chief, his tact has moved more towards that safeguarding and that vulnerability, he's ...saying ...I want you to tackle that vulnerability. Which then coincides with the PCC being a big believer in tackling vulnerability, not in relation to modern slavery, this that and other but vulnerability overall; ...alcoholism, drug abuse, homelessness, concentrating on that side of the business."

Billy, another UK police officer, also talks about showing willingness and supporting willing staff and enabling them by allowing the investigation to progress, by placing trust in staff under their command. (He does term his approach as 'non-bureaucratic' but it is more akin to a flexible bureaucracy):

“Philosophically, I try and run a non-bureaucratic system. I try to run a system based on trust and I try to run a system based on respecting people’s professional competence. So, (if one of my staff) established (a) need and having established that the resource would be gainfully employed was given the resource and then allowed to get on with it. In terms of briefing me, I would have a verbal briefing on an informal irregular basis anywhere from weekly to six weeks ... Sometimes that might be ten minutes, sometimes that might be an hour. What I didn’t compel ... (is) a written report every Friday afternoon on progress because when we’ve done that in the past the whole week becomes focused on having something to tell the gaffer on Friday. And I’d much rather that time be spent on investigating. And the previous Chief Constable worked very hard to turn a non-trusting organisation into a trusting organisation. ... in previous generations it would have been a Friday afternoon report, which may or may have not been read, but you’d be damn sure a lot of work went into preparing it.”

Returning to the investigation itself, Jordan continues to explain that as more victims were identified, the extent of the organised modern slavery became apparent and senior leadership continued to support the investigation and enforcement with resources. However, that did not stop other officers being sceptical about how much priority was being put into the investigation, suggesting that Jordan was ‘too much in the weeds of the operation’ and needed to concentrate on other matters, which appeared to command a higher degree of importance to some, such as firearms command and other volume, organised and serious crime. Whether this is a case of a lack of understanding on the part of other officers or a culture of ‘scepticism’ or ‘mission importance’ is not clear, however it does highlight a further need to make all officers of all ranks fully aware of the extent of moderns slavery as an organised crime ([See recommendation 6](#)).

Equally, although not evident from the research, it could be said that officers involved in *Operation Doubrava* were blinded by their mission. Therefore, senior force leadership should ensure they are regularly reviewing organised crime investigations to ensure they are correctly prioritised and resourced. The evidence does suggest that such reviews have been undertaken for *Operation Doubrava*. It should also be noted that being aware of ‘what is going off in the weeds?’ or showing an understanding of the detail has previously been identified as a leadership quality. Montgomery was subjected to critique for his performance during World War II, but he was supported by commanders who showed good leadership by

being concerned with staff welfare and involving themselves in detailed planning (Dimbleby 2012). The judgement to be made is when to step back from the detail so that the strategic direction can be viewed. There is evidence of a good mix of understanding the detail and being willing to trust in staff by the majority of those involved in the leadership of *Operation Doubrava*. However, a bit of healthy scepticism on the part of others, provided it is recognised as such, can help leaders reflect on their own performance (researcher experience and agreed by Jordan).

Police culture, including the culture of 'mission blindness' and 'scepticism' already considered in this study, is '*loosely defined*' (Chan 1996, p. 111). Police culture is entrenched as the way things have always been done and can lead to negative outcomes such as cynicism, racism, sexism and insensitivity that challenge changing policing for the better. However, police culture can have positive aspects in terms of it engendering team bonding that results in the team pulling together to deal with dangerous police work; but that too can lead to the team covering up bad practice. Police culture varies; it differs individually, collectively between different departments and hierarchically and is subject to outside influences. Changing police culture and drawing out positive cultures to ensure change for the better with a legitimate metis requires a full understanding of what the culture is, where the culture exists, why it exists and how it exists (Severns 2015).

It is important to understand the police culture at play in any investigation or operation such as *Operation Doubrava*, as it helps to critically analyse what went right or indeed what went wrong, in order to draw out best practice and develop good metis supported by relevant evidence. Of relevance to this study and the wider area of transnational policing of TNOC, is the existence of transnational police subcultures.

It is the view of Bowling and Sheptyki (2012) that policing takes place in several spheres from the local to the global and it is facilitated by an '*occupational subculture of policing*' (p28). In some cases, those subcultures of police personnel take part in poor policing, which leads to insecurity and, with the increasing inter-connectedness of globalisation, the insecurity becomes global and influences nation state policing. Transnational policing between the different geographical spheres of global policing, dominated by enforcement, facilitates the influence on the nation state. As a result, the nation state is undermined by a global network of policing (Bowling and Sheptycki 2012). This adds fuel to the negative perception of the existence of a global police state undermining sovereignty identified by

Westmarland (2010). However, Severns (2015) found evidence of positive aspects of transnational police subcultures in the transnational police firearms intelligence network. From a UK point of view this contributed towards a wider glocal reconstruction of policing delivered by an organised subculture of police, anchored in the nation state, and dominated by diplomatic policing methods.

These positive transnational subcultures are the bureaucrats that contribute to Deflem's (2002) policeization and it is important to know how they work and where the power lies within such networks to ensure they are operating ethically and are governed correctly (Severns 2015). Similar evidence of positive transnational police cultures that make transnational policing work and deliver justice has been found within the transnational aspects of *Operation Doubrava*, which should be promoted to help develop a positive police metis to remain one step ahead of the organised criminals (Kenny 2008).

As pointed out by Severns (2015), Bowling and Sheptycki (2012) argue that global policing does not consist of one global police force but consists of local police officers and staff engaged in global police activity beyond the nation state. They are bureaucrats working across nation state boundaries (some as ILOs). They have a '*sense of mission*' (Reiner 2010, p119) as part of their subculture to achieve results. In achieving their mission ILOs can be divided into technicians, diplomats, entrepreneurs, public relation experts, legal experts, spies, field operators and enforcers (Bowling and Sheptycki 2012, p. 87-92).

Whilst elements of most of these subcultures could be found in *Operation Doubrava*, the dominant subculture was diplomats, which is clearly evidenced in the way Gene (and others) operated to develop the transnational element of the operation (and in this case they literally worked diplomatically with an ILO attached to an embassy):

“...prior to making SIENA (Secure Information Exchange Network Application)³⁸ submissions,...we'd been engaging with the Latvian Embassy, there was a cop there

³⁸ In an organisation like Europol, which facilitates and relies on the exchange of information, the secure and swift transmission of sensitive and restricted data is essential. The Secure Information Exchange Network Application (SIENA) is a state-of-the-art platform that meets the communication needs of EU law enforcement. The platform enables the swift and user-friendly exchange of operational and strategic crime-related information among:

- Europol's liaison officers, analysts and experts
- Member States

that's embedded in the Embassy, that's a representative from Latvia and we kind of struck up a relationship with this cop ...when we wanted some quick information or quicker access to information we'd get in touch with the Embassy - so things around family tree, identities, certain addresses in Latvia, we were contacting the Embassy and getting the information almost instantly. So he came over and the guy from the Embassy came up so we had two Latvian cops for the enforcement and we did get some bits and pieces through that 4 days of enforcement that were useful, and actually while the cop was over from Latvia we used that situation to brief him up about the job fully and we spent some time with him, I took him out for some food, you know, and we kind of clicked really I suppose, straight away they got the job - they come from a dedicated Trafficking Unit out there so that's all they look at. So he went back armed with a load of information about our job, obviously got a bit of an affiliation to it because he's been involved in the enforcement, he could see the effort that we were putting in, he was there at 2 o'clock in the morning when I briefed up 60 odd cops, he was there at one of the addresses when we put the doors in, you know, so he'd got some affinity to the job. So, it was a bit of a strategy really to brief him up at the time to take it back to his gaffers."

Gene then explained how the diplomatic work continued:

"...we started to put loads of information in through SIENNA, telephone numbers that we'd put in were being linked to different criminality or associates of our nominals were linked to different criminality in other parts of Europe and we were really pushing for a JIT or I was pushing for a JIT through ...Europol ...we did the enforcement in September and it took weeks and weeks of badgering ...and we eventually managed to secure a face-to-face meeting at Europol which I think was in mid-November 2017. So myself and (another officer) ...travelled over to The Hague, to the Europol building to pitch our job to the Latvians and in order to get a JIT the member state that you're trying to engage with had to have an investigation or has to be some benefit to them over in Latvia. So we sat down with the Tack Advisor from the NCA, (who) knew about the job, ... and formulated a strategy about how to pitch the job, what the Latvians might be interested in, where they might see benefit in our

• *third parties with which Europol has cooperation agreements. (EUROPOL 2020 – A/1/0).*

job and I did some research around the Latvian Criminal Justice System and the Police, I established that they have a completely different setup overseas as they do in the rest, most of the rest of Europe, it's actually the Ministry of Justice or the equivalent to CPS that run investigations; the Police aren't allowed to just generate a crime report and start investigating anything."

Having done the research Gene and others elected to meet their Latvian counterparts at Europol and Eurojust premises in The Hague. They could have met in the UK as they were initiating the JIT part way through their investigation or they could have elected to go to Latvia. However, they felt it would be better taking place in a neutral location where the facilities were described as 'really good', with translation resources and Europol and Eurojust staff used to facilitating JITs. This then added the Latvian Police Trafficking Unit and Eurojust to the *Operation Doubrava* network.

As the *Operation Doubrava* UK officers, were into the enforcement stage and were looking to trace evidence and suspects in Latvia and up against the custody time limits in the UK, they needed a speedy implementation of the JIT with Latvia. Feeling the Latvian's would respect an input from legal decision makers, Gene ensured the presence of a CPS case lawyer from the UK and asked for a Latvian Prosecutor to attend the meeting in the Hague. This then added two more nodes in the *Operation Doubrava* network; the CPS and the Latvian Prosecutor's office.

The Latvian police officers in attendance at the meeting in the Hague fully accepted there was a need to take part in a JIT. Chris, a Latvian officer comments on how the case then progressed with Latvian participation. The officer working in England that he refers to is the one working at the Latvian Embassy (another relevant node in the network) that Derbyshire *Operation Doubrava* officers had early contact with prior to and during the enforcement stage:

"We have got officer here in England and we also received parallel information to what we held regarding that, that sort of thing was happening in England. So, we had sort of information from two parallel channels. Joint meetings were initiated by British police and we had meeting to start with Eurojust and ... Europol and that was the whole investigation group and that was how it was established. (Once the JIT was in

place) we helped the British police to obtain all the information what we got and obtained in Latvia otherwise they wouldn't be able to know that information. That was information regarding persons, regarding previous criminal convictions, regarding property...urr about location. There were three officers who were investigating the case from Latvian police and the fourth person was a prosecutor...state prosecutor."

Chris also confirms it was the first time Latvian police had taken part in a JIT investigating modern slavery with any police or LEAs from the UK and that the relationship was excellent. Chris puts the development of the excellent relationship down to regularly meeting with each other and understanding each other's cultural and procedural differences. More evidence of an enduring diplomatic subculture (Bowling and Sheptyki 2012) supporting continued policeization (Deflem 2002). Chris states:

"(We met) officially and unofficially. We got acquainted as humans...as people."

Alex, another Latvian officer, also discussed developing transnational relationships as important and states that his grasp of English made the process easier especially when it came to sharing information and managing victims. Although Alex felt the Latvian system that compels witnesses and victims to speak to the police would have speeded up the investigation:

"In Latvia there is criminal liability or to know to give false testimony or if person refuse to give testimony...(when) they have the ability to do it. And if they don't do it or give us false testimony it's a criminal case and that's why it could help us in investigation cases. For example, if we were the leader of the JIT it would mean that all victims should be at least to speak with us...at least to speak and give some statements."

Nevertheless, Alex confirms it was the right decision for Derbyshire to lead the JIT in this case as that was where most of the criminal activity took place. Also, that the JIT allowed transnational police activity to take place involving police from both countries operating in each other's country without breaching nation state sovereignty. Again, reinforcing a good well thought out diplomatic approach to setting up a JIT that does not undermine sovereignty

and the monopoly on the use of force held by the local police. Alex states that the JIT was necessary, but it is the people operating the JIT that make it work:

"JIT of course helps but if people don't want to receive not any JIT will help."

More of the well thought out diplomatic approach protecting the nation state and allowing transnational police activity and a glocal approach, is evidenced by Gene who stated:

"It's got to be legal in both countries so whatever's happening, ... it's got to stand up to scrutiny at court, it's got to be... we can't just go over and work to our rules in Latvia, it's got to be to the Latvian way but whatever you gather out there it's got to stand up to scrutiny here. So it just comes down to knowing your own policies and procedures and what you can and can't do here and what you are and are not allowed to do in Latvia and there was lots of situations where things were different there – cultural differences, procedural differences – but both parties, and it's testament to the Latvian cops that they were willing to work with us, they were willing to listen to us, there were some things that are just different that you can't do and you've got to find a solution but it was testament to that team. It was the first JIT that they've ever had so they had no guidance for it really and it's the first JIT that Derbyshire have ever had but it was two lots of/two collectives of cops that wanted to get the job done and we always found a solution. It was good. I mean we made some assumptions that we would be allowed to do certain things in Latvia, and we weren't allowed to do but the Latvian cops could do them with us being present."

The adherence to nation state laws, policy and procedure was reflected by participants in Severns' (2015, p145) research of the police transnational firearms intelligence network. In that research a participant, Geri, was adamant that, *"Anything (done) on a transnational basis has to adhere to UK law, policy and procedure."*

Such adherence may seem obvious and there are examples of guidance that underpins that adherence. The Interpol Ballistic Information Network (IBIN) server must confirm to nation state laws and any data placed on there or searches carried out must be based on reliable intelligence (Interpol 2014 – A/1/0). However, there have been allegations that transnational

policing has not always complied with nation state law policy and procedure especially in the gathering and actioning of intelligence. Whilst the UK Security Services (MI5), who work in partnership with the police and are part of the wider policing process, promote an ethical culture and align it with the investigation of terrorists who are brutal to their victims (Parker 2015 – A/1/0). There have been allegations that some MI5 officers were involved in a culture that utilised intelligence obtained by way of torture by other nation state organisations (BBC *Breakfast Time* 2014 – B/3/0, Great Britain, Parliament, House of Commons 2007 – A/2/5, Great Britain, Parliament, Houses of Lords and Commons 2009 – A/2/5).

Research by Severns (2015) of the police transnational firearms intelligence network demonstrated a clear glocal approach to transnational policing anchored in the UK nation state. As evidenced, *Operation Doubrava* identifies a similar approach by UK police (represented by Derbyshire Constabulary and the NCA) to transnational policing. There was a local impact from modern slavery in the UK influenced by the global movement of people and the UK police sort transnational assistance through Europol, Eurojust and the Latvia police to deal with that local impact. Severns (2015) also examined whether the pluralisation of policing had an impact on transnational policing involving UK officers and whether that drew in privatisation of transnational policing through partnership working. Pluralisation involves more public and private agencies that are not part of the public police taking responsibility for policing issues (Jones and Newburn 2006). *Little evidence of privatisation of transnational policing or pluralisation existed other than through the provision of a widely used computer programme by a Canadian firm. What existed was “a co-operative organisation of transnational organised crime policing anchored within the nation state. It was a development of nation state policing, involving some pluralisation with other public organisations, rather than a top down global reconstruction of policing from the outside facilitated by pluralisation with private providers”* (Severns 2015, p.243).

This was a glocal reconstruction of policing called for by Heeres (2012) and such glocal policing is well evidenced by the *Operation Doubrava* participants. However, there is no evidence of privatisation and little pluralisation beyond the use of partnership working to support victims and free up the public police for investigation and enforcement. Partnership working with non-public police organisations that contributed towards the *Operation Doubrava* investigation, mainly involved providing support to victims from their initial rescue to continued support on their return to Latvia. Derbyshire police officers used adult and child social services, drug alcohol workers and the Red Cross to free up investigating officers from

some of the support and ensure correct referral to the NRM. Latvia officers also made use of charities seeing victim support as clearly the responsibility of charities apart from where the support required Latvian police intervention to prevent witness interference. According to Alex:

“We involved some municipality police and also involved some NGOs for finding and supporting of victims. After receiving information from UK about victim...we have two NGOs in Latvia, Society Shelter Safehouse and Centre Maja. And these two organisations are responsible for victim support. We just inform the organisation about the victim and they continue to work with victims. We just give to them the card and victim should choose with whom he wants to cooperate. There are a lot of ways to support for example providing victims with accommodation with help of psychologist. We know with one of the victims ...the NGOs found a job for him and also found a place for him to live ...of course it's a big problem because victims unfortunately say these bad conditions in the UK are much better than my lifestyle in Latvia. ...there is learning that takes place within the organisation about the policing of human trafficking or modern slavery as the British would call it.”

Even though Derbyshire Police and Latvian Police relied on other agencies (further nodes in the *Operation Doubrava* network) for supporting victims, the Derbyshire police policy was to put victim rescue as the priority for *Operation Doubrava*. Evidence gathering was the second priority but by ensuring safety of the victims and supporting them at court the evidence followed. The Latvian Police generally have a different approach to victims in that they can compel victims (and witnesses) to speak to them; however, they did prioritise the victims as part of the *Operation Doubrava* JIT and, as a result, implemented UK systems used to gather evidence from victims as best practice. According to Jordan:

“...it took quite a lot (for) detectives ...(to change) their mind-set from actually saying this is not about detections, this is not about detecting that criminality, it's not about getting those offenders locked up, it's a total different tact, you know. The main priority was rescuing and recovery of victims, secondary came the criminal justice outcome because if you're saying it's about people and about victims and about vulnerability, as long as you've secured that and you've made people safe, you've rescued them, you're dealing with the vulnerability and you've got that support network in place, does it really matter that you get somebody convicted? ...I think

probably three or four months in (those detectives and others) started to understand ...because they had lived and breathed it for a period of about three month, four month, so they were now starting to understand and see a little bit more about the people, how they were being treated, how they were being dealt with, and it were changing that mind-set.” ([See recommendation 13](#))

Billy gave some insight on why victims were made the priority:

“We’d done a number of modern slavery interventions in the past and it became apparent to us that one of the reasons why previous investigations probably didn’t get the outcomes they want, ...didn’t get the charges they deserve was because we didn’t work hard enough to keep our victims on side, didn’t work hard enough to keep our victims engaged and as a consequence they just disappeared to the four winds. They’re not British at the end of the day.”

Gene became enlightened about putting victims first:

“...there was a turnover of victims so we realised that without an intervention or an enforcement to stop it there would be a continual cycle and we would be forever chasing our tail (trying to find victims who would return to Latvia). I was ...focussed on collecting evidence (rather than recovering victims), getting enough evidence, front loading the job so when we actually do the enforcement we’ve got enough evidence to charge and remand, because (the suspects) would be considered a flight risk – they’ve got lots of links back in Latvia, it’s easy to leave the UK, I wanted, as did everybody else actually, when we made the arrest we wanted to keep them and get them remanded.”

However, having been enlightened Gene was able to understand the victim circumstances and make judgements on when to intervene to rescue the victim and make arrests. So, although the victim came first, and the evidence followed at enforcement time it was also possible to assess the risk to the victim and not jump straight away allowing some evidence to be gathered before arrests were made:

“...it was a difficult decision at the time because you could see the victims being continually exploited, you could see their wages being taken by the OCG and it was happening in front of you. So there was discussions around strategic possibilities for arrest, you know, you could take that suspect out there with 4 victims' bank cards in their pocket but do you do that at 8 o'clock on a Friday morning actually when it can run over the weekend and, you know, it needs a multiagency approach for enforcement and actually just arresting one at a cash point when you're trying to arrest 11 or 12 and you've got loads of victims to deal with; in a normal job with one suspect, one victim, that's the optimal time to take somebody out but with so many other factors at play, is that the best time to take somebody out. But again, it's uncomfortable and difficult to watch criminal behaviour being conducted against these victims and watching it play out in front of you.”

Alex talked about the Latvian police approach to prioritising victims:

“It's difficult to say (if our approach to victims changed during the JIT) but I think that the approach hasn't changed very much because NGO and victim cooperation is very good. (Gathering evidence from victims) was very difficult for us because ...the biggest part of victims were homeless and also they were alcoholics. It was very difficult locate them for cooperation. But we tried to do our best we often made contact with victim asking about 'how did you feel? Are good, are you ok?' Because for example there was one case where victim was calling me and said he was threatened by gypsy family member. ...if he continued supporting police and cooperating then that he could be damaged and get injury. He informed us and we initiated the case to the person that was (threatening) him and put him in custody for two months. It was also very useful too because after that we shared that information with victims and they really saw that police works and that we can save them and protect them.”

According to Alex, the number of victims identified by Derbyshire officers appeared to have an influence on Latvian Police signing up to the JIT:

“...when we really understand that it's a problem and that we don't have only four victims but more like more than twenty victims we had I think two- or three-times

round table with prosecution officer to decided what we will do. And then we decide ... to sign JIT agreement with UK."

As previously alluded to once the Latvian Police were signed up to the JIT and prioritised the victims, according to Chris, they also adopted the UK approach to videoing victims giving their witness statements:

"We do learn every day; we do learn from each case but regarding Doubrava we saw...we noticed how British police normally do interviews regarding technical stuff for instance audio video...from a technical point of view. We have tried doing it ourselves as well using urr...from a technical point of view but we thought it's pointless really to invent the bicycle again so we decided to just take over what they are using so we would use that. And last year we had some changes in criminal proceeding law and that is regarding from technical point of view as it would be a lot easier to use that as evidential. The Latvian officer that was dealing with the Doubrava case now normally deals with all the investigations and interrogations the English way...sort of with technical support."

From a technical and organisational learning point of view, Jordan later confirmed that the UK Home Office are putting *Operation Doubrava* under the microscope to identify new technical opportunities. This includes information technology to speed up translation and the gathering and analysis of evidence.

As indicated at the beginning of this chapter there is clear evidence from the participants of the *Operation Doubrava* investigation and the nodes in the network being part of a co-operative glocal approach to transnational policing. The power remains with the local police whether that be Latvia at one end of the transnational link or the UK at the other, in this case represented by Derbyshire Constabulary one of the 43 English and Welsh Forces. Derbyshire Constabulary officers sort assistance from national nodes such as the NCA. The global and transnational activity by local police is facilitated the regional nodes such as Europol and the JIT experts making the overall activity glocal.

As identified by Severns (2015) in the police transnational firearms intelligence network the victims influenced a teamwork approach with a clear mission to rescue victims as a priority. Such a global teamwork approach is, as stated, evidenced as the correct approach to transnational policing by Heeres (2012). According to Heeres (2012) culture underpins policing at all levels and it is an important aspect of leadership to manage that culture, to move policing forward for the better. Glosmeth, Gottschalk and Soli-Saether (2007) identified that investigative teamwork culture impacts positively on the investigation of crime. A good teamwork culture leads to the frank exchange and sharing of knowledge and that enables the police to perform well and bring about a successful conclusion to the investigation. In the case of *Operation Doubrava*, that successful conclusion was the rescue of victims and the bringing of offenders to justice. All the nodes identified in the *Operation Doubrava* network contributed to the successful conclusion and the network also included the involvement of interpreters working on interviews and in court and the prosecution barristers appointed by the CPS to bring the Crown's case at the Crown Court.

Successful policing where victims are protected, and crime is curtailed by bringing offenders to justice is about choosing the right people to do the job of policing. If not with the knowledge, experience and willingness to make things happen then, at least, with some investigative knowledge and the willingness to learn and make things happen. Police leaders must also be willing to make things happen and not be blinkered as to what constitutes organised crime.

Police leaders need to manage change and the expectations of those they lead, police partners and the community they serve. In doing so they should take a note from *Operation Doubrava* and others quoted in this study and make "*Vulnerability ... the cross-agency language used to describe and make sense of crime*" (Menichelli 2020, p53).

Hopefully, the new police degrees will foster a willingness to change and improve knowledge on organised modern slavery and other organised crime at an early stage. Time will tell, but it does present opportunities for students on such courses to be involved in organised crime research as with the students who researched *Operation Doubrava* ([See recommendation 7](#)).

8.2 [Discussion: A Glocal Victim Focussed Willing and Able JIT Approach](#)

A cross cutting theme drawn from the research into *Operation Doubrava* is the glocal element. There is a glocal organised modern slavery crime impacting on victims locally in the UK and in Latvia. This is enabled by the increased global movement of people especially within the EU. As previously evidenced, Levi (2007) argues that organised crime operates by using “*tools of late modernity*” (p775). These include the internet, air travel and global financial services. Those organised criminals are “*motivated by personal financial accumulation*” (p791). That global movement is relied on by criminals organising and acting together locally (Hobbs 1998) to commit modern slavery offences, which have a local impact and a transnational element.

There was a glocal policing response. The local police used the same transport and internet tools to respond to a local impact. They used transnational contacts to look to the regional sphere of Bowling and Sheptyki's (2012) global policing architecture to establish and use a JIT to progress the investigation of a specific modern slavery problem. All the time the victim was the priority and rescuing victims was the operational aim which, together with a transnational subculture of diplomacy, promoted a willing and able teamwork approach to the JIT.

Victims are also a strong theme within this study. Victims were treated as a priority in *Operation Doubrava* and non were criminalised, but it must be emphasised that in the wider investigation and processing of people subjected to modern slavery there is some criminalisation of victims (Serini and Baker 2018). The *Operation Doubrava* victims were not made to do illegal work, but in some forms of modern slavery victims are. Uddin who was interviewed for a 'file on four' documentary had been the subject of modern slavery, having been put to work in the UK tending a cannabis farm. He states that:

"Victims of trafficking are seen first and foremost as migrants and thus they are battling the hostile environment. Instead of seeing them as the victims that they are, they seem to be criminalised again and again" (Finding Freedom – The Fight Against Modern Slavery 2019 – B/3/0).

The existence of the criminalisation of victims is also confirmed by the Great Britain, Home Affairs Committee (2019 – B/1/5). In an answer to a question from the committee asking why many victims are criminalised and treated as suspects first and foremost, even when there are trafficking indications present? The Chief Constable of Devon and Cornwall and national police lead for modern slavery, Shaun Sawyer stated:

"It does happen on occasion. I am not going to pretend it has never happened; it does happen. We have worked extremely hard throughout the whole area of vulnerability over several years now, going right back to domestic violence, abusive relationships. You are dealing with a social interaction when dealing with people. I would say culturally policing in general is more attuned and better understanding of the idea of vulnerability and exploitation than it has ever been, but it is not consistent. We have also invested heavily in specialists, and the problem with investing in specialists is that the upside is you get great results, but the downside is that everyone pretends it is now their problem and you need a generalist approach. A lot of the work we have done on the front line has been about awareness raising and not making judgments, and about specific guidance. There is the issue of the link between so-called organised immigration crime and modern slaves. You can engage into trafficking but get caught in debt bondage, and what do you do? Our training is absolutely clear. You see the victim first and then you pursue the evidence."

Before the same Great Britain, Home Affairs Committee (2019 – B/1/5), the West Yorkshire PCC and PCC Modern Slavery Lead, Mark Burns Williams reinforced raising awareness of modern slavery at the local level, to the public and the business community as well as the police. In doing so he makes the link to the local issue with people being employed in legitimate business and then exploited as modern slaves by those who find and help them secure the employment:

“You are right: awareness-raising within police forces and other law enforcement and other agencies is important, but from a public perspective we need to keep reinforcing what are the signs of human trafficking and modern slavery, potentially within a workplace or neighbourhood or community. Car washes and nail bars are the ones that have been identified, but it is also increasingly about potential workplace supply chains, where businesses need to be aware and doing whatever they can. There are some really good examples of businesses providing statements about that, but in my view there is not nearly enough in terms of what the legislation or the guidance could be to go further in that regard.

A number of police and crime commissioners have accessed the transformation fund to run awareness campaigns locally and are working with Unseen, the Modern Slavery Helpline, as well to try to get those constant messages out. We need to keep raising this as an issue that our communities need to be aware of and say how to report that if they have any suspicions at all.”

As evidenced by the police participants the victims in *Operation Doubrava* did not do illegal work, they were placed in legitimate employment and exploited. The police did, as suggested by Mr Sawyer, have a policy of seeing the victim and their vulnerability first and then pursuing the evidence which led to a successful result. Those victims were living in poor conditions in the UK and most of their money was being taken by the OCG for their own gain. Those victims had been trafficked into the UK, believing they were going to live a better life and earn a good living, by organised criminals with local Latvian community and family connections, who were able to exploit the free and easy movement of people across Europe using quick efficient legal air transport and taking advantage of a legal employment market for cheap labour in the UK. Local impact and local and transnational organisation influenced

by global conditions. Those same organised criminals easily moved and invested their illegal profits in luxury cars and housing in Latvia, where they were found to be again exploiting vulnerable people to live in poor conditions and work for them doing house hold chores for no pay and only a freezing outbuilding to live in. Once again, a local impact and local transnational organisation influenced by the easy transfer of money and people around the globe.

Bowling and Sheptyki's (2012) regional sphere of the overall global policing architecture is concerned with a particular region of the world. This includes Europol facilitating a strategic European response to modern slavery through transnational contact with national spheres such as the NCA and the Latvian Police Trafficking Unit, and in turn with police forces operating locally but in a glocal way through the transnational connection, such as Derbyshire Constabulary. Global spheres of policing have a global range and include organisations such as Interpol. However, global spheres do not put the global in global policing, and organisations such as Interpol, which is included in the global sphere, do not dominate global policing. Instead, as with organisations and operations in the other spheres, global sphere organisations like Interpol, are nodes, which form part of a complex network that is global policing (Bowling and Sheptyki 2012).

Bowling and Sheptyki (2012) conclude that this complex network pulls policing away from the local towards global control adding weight to the critics cited by Westmarland (2010) who argue that increased professional contact, by police from different nation states, generates a loss of sovereignty. As in Severns (2015) the research into *Operation Doubrava* suggests the move towards the global is not clear cut and that the glocal sphere is more dominant. Even the regional and nation state organisations appear to be working to facilitate the glocal. Europol and the NCA acted in support of Derbyshire Constabulary to facilitate transnational contact with the Latvian Police Trafficking Unit, who in turn adapt to operate on a local basis to dismantle a local OCG. As Chris confirmed the links made through Europol enabled the JIT to be drawn up and to ensure nation state sovereignty was maintained in the UK and Latvia:

“(It) was August 2017 when British police started to investigate the case. (The JIT was signed up) on 17th January ...2018. ...(We) met in Europol and we came to agreement that the JIT was necessary so the JIT was established, and we also needed to come to an agreement which group would take a lead role in taking cases

to prosecution and to court. Because the crime took place on British soil it was decided that British police would take the case to courts for prosecution ...the detained persons were in UK already and the only thing we had was property and property was back in Latvia. ...I think it wasn't that easy because there is a difference in British and Latvian law and..., we needed to decide what can be done from our side and what can be done from British police position. From that point of view, it was not easy."

Gene gives more details of how the JIT came about and how the regional and national spheres supported Derbyshire Constabulary and the Latvian Police Trafficking Unit by facilitating and promoting transnational contact:

"I was getting advice (from NCA and MSPTU officers) around possibilities of these things called Joint Investigation Teams and I'd never really heard of it. ... (The NCA officer) put me in touch with somebody at Europol ... who was a Desk Officer, a UK representative at Europol ... he was engaging with Latvia at Europol which is just another cop, equivalent of maybe a DI rank or DCI rank that's a representative of Latvia but they're based at The Hague in the Europol building. ... We were moving to enforcement and we decided it would be useful to have a Latvian cop ... he could just be stood in the background and see if he could pick up on things. So, we managed to... I suppose really the first stage in engaging with the Latvians was the submissions through Europol and actually we got some funding through Europol, not as part of the JIT, to get a Latvian cop over."

Gene points out that the initial visit of the Latvian officer could have stopped the JIT being drawn up as the Latvian representative at Europol felt that was enough help. He continues (and includes further evidence of the transnational diplomacy used to obtain the JIT):

"I was pushing for a JIT through ...Europol but ... it took weeks and weeks of badgering and (the UK Europol desk officer) badgering the Latvian Desk Officers and we eventually managed to secure a face-to-face meeting at Europol which I think was in mid-November 2017. Myself and (another) officer in the case travelled over to The Hague, to the Europol building to pitch our job to the Latvians and in order to get a JIT the member state that you're trying to engage with had to have an investigation

or has to be some benefit to them over in Latvia. So we sat down with the Tack Advisor from the NCA, ...he knew about the job, we briefed him up and we sat down and formulated a strategy about how to pitch the job, what the Latvians might be interested in, where they might see benefit in our job.”

The job was then pitched to the Latvian Police Trafficking Unit officers. The Europol meeting was also attended by Eurojust, the CPS and Latvian prosecutors from the Latvian Ministry of Justice and Europol contributed with the wider European intelligence picture on modern slavery. The Latvians went away from the meeting to decide on whether they would take part in the JIT:

“We came away and I think it would have been a few weeks after that ...maybe mid-point through December, ...we got the decision from Latvia, or from Eurojust, that they were interested in taking it further and then there was a meeting scheduled for January, ... where we were invited to Eurojust which is also based in The Hague which is the second stage of the process where you sit down with the Latvians again.”

Gene gives details of the second meeting in January 2018 and that it led to a successful result, in so much as the JIT was signed off and resulted in arrests and recovery of evidence:

“the second meeting is held at Eurojust and ...the legal framework around the JIT is drafted out and agreed and the parameters of the JIT are agreed at that meeting. ...we took a contingent from the UK, it was myself (the officer in the case and the) Senior Investigating Officer ... (the NCA) came, ...our Desk Officer from Europol came along, ... CPS, ... a UK representative from AP Phoenix³⁹, ... our Eurojust UK representative and then a similar kind of setup for the Latvian side. Again we did another presentation; what we sort the benefits of involving Latvia were, again we'd done another evidential and intelligence review prior to that meeting so again an updated overview of the investigation and the Latvians did the same on this occasion actually, they didn't present at the previous meeting but they came on with some

³⁹ Project Phoenix at Europol is the dedicated team to support investigations into modern slavery and THB and the analyst is based in the Europol National Unit–UK (ENU-UK) (MSPTU 2018).

information and a presentation to this meeting based on the work that they'd gone off and done in the background. So, they gave us an update on who they'd identified in Latvia, where they thought they might be.... So the 17th January was the sign-off for the JIT and the 21st or the 19th, couple of days after, was the submission for the funding, 2 weeks after I was in Latvia having the first coordination meeting, first planning meeting with 2 cops from my team with the Latvians in Latvia and then 2 weeks after that we were putting doors in. So it was rapid; so from January to mid-February was planning, funding, flights booked, strategies put in place, enforcement teams put in place in Latvia, travel arrangements for 8 of us to go over, a media strategy, liaison between the two media teams, gone out, arrested 4 and extradited them back to the UK, now that is absolutely rapid."

It is all well and good achieving a successful result but to embed that success for the future there is a need to establish why it was successful. In this case it has been evidenced that the participants of the *Operation Doubrava* investigation and the nodes in the network were part of a co-operative glocal approach to transnational policing.

The transnational processes were in place, thanks to well established agreements drawn up through historic policeization (Deflem 2002) and maintained by experts such as the JIT experts. Thanks, in the main, to a diplomatic approach by willing and enabled local police officers facilitated by regional and national police officers working as ILOs, a co-operative willing and able team was put together to use the available transnational JIT process. They all appeared to put the rescue of victims as a mission priority and the gathering of evidence followed.

Such a co-operative willing and able teamwork approach has been evidenced in other areas of transnational and local policing by Glosmeth, Gottschalk and Soli-Saether (2007), Heeres (2012) and Severns (2015). Therefore, the police need to continue to review any operation or investigation to ensure there is a clear mission and that everyone is working towards that mission. It is also important in that review that the mission is approached ethically and with integrity. *Operation Doubrava* and other investigations make the victim the priority, but at the same time the human rights of suspects and accused are just as important as those of the victim and they must be preserved to prevent any miscarriages of justice. There are examples of where the determination to bring offenders to justice can lead to miscarriages of justice. Therefore, investigations must be impartial (Kennedy 2004) and open minded.

Detectives must always keep an open mind, even when putting victims first. This did not appear to happen during the Operation Midland paedophile investigation run by the metropolitan police where, very early in the investigation the SIO stated the allegations by the alleged victim were “*credible and true*”. This led to a lengthy investigation into what turned out to be false allegations made against several individuals (Dixon and Evans 2019 – B/1/5).

There is also a need to ensure sustainability of best practice in transnational policing and this will be achieved by continuing the links between different nation state police forces and ensuring by continual review that the links are relative and operating ethically and with good governance. This needs to continue even in the face of Brexit which still threatens the reduction of links between the UK and other European police and LEAs. Severns (2015) found that one driver for such a review and sustainability of relevant action, ethical investigation and good governance in the police transnational firearms intelligence network was the group of European Firearms Experts (EFE).

EFE was a Netherlands proposal which was established by a meeting of European Police Chiefs in 2004. It brings together Deflem’s (2002) policeization with Bowling and Sheptycki’s (2012) technical experts. The group are operationally independent from their democratic nation state and meet as an EU group to create transnational policing processes. They discuss options for dealing with trends in global and transnational crimes. Some of the meetings result in policy development by the respective nation state governments of the police involved (European Commission 2013 – A/1/5, EU 2013 - A10, Unknown 2014 – E/4/0). The group of JIT experts is like the EFE. They meet to review and spread best practice on JITs and are discussed in chapter 4.2. Little mention is made by the *Operation Doubrava* police participants of this group, but they confirm they were due to be reviewed. It would be a useful to further research the work of the JIT experts and compare them with the EFE and other similar groups to establish what influence all such groups have on sustaining best practice in transnational policing and the reconstruction of policing, and to confirm where they fit within the theory of global policing and policeization ([See recommendation 9](#)).

Overall this chapter pulls out the crosscutting glocal theme and, as with the police transnational firearms intelligence network, there is clear evidence from *Operation Doubrava* of the existence of a co-operative transnational nodal network of police and other organisations working to rescue victims and bring them justice. The network facilitates glocal

policing in the UK and Latvia with the emphasis being on the glocal rather than the global. Derbyshire police do the glocal work in the UK together with other agencies, the Latvian Police Trafficking Unit do similar partnership glocal policing in Latvia and they are facilitated in their work by the national UK NCA and the regional Eurojust and Europol. No sovereign nation state police work is undermined by any node or group of nodes outside the nation state and the co-operative network working as a team is driven by a positive subculture of police officers seeking to support victims and bring transnational OCG offenders to justice using a JIT, which is in essence a product of policeization.

The aim and CRQ of in researching *Operation Doubrava* was to develop further knowledge of the police response to TNOC through a critical exploration of *Operation Doubrava* and the role of Joint Investigation Teams (JITs).

The objectives in meeting the *Operation Doubrava* research aim were:

- To understand and share best practice on the investigation of transnational organised modern slavery and the role of JITs.
- To use knowledge gained during *Operation Doubrava* to disrupt modern slavery.
- To understand the potential impact of Brexit on JITs and the implications for collaborations between the UK and European police partners.
- To use knowledge from *Operation Doubrava* to support student learning.

The aim was wide and deliberately open minded and exploratory. As such it gave the research participants chance to speak freely about *Operation Doubrava* without it being a tick box process review. Therefore, they spoke about what they believed was important rather than it being a check of whether they followed a particular process and what was good and bad about the process. The JIT experts and other reviewers appear to do that quite adequately as do those spreading best practice such as the MSPTU.

It became apparent from the interview data that policeization, and global policing (including transnational occupational police subculture) were evident in establishing a willing and able JIT. For the participants this was all about people. Not only the right people being in place to

do the job of transnational policing, but also ensuring victims are treated correctly and the accused are investigated fairly and given a fair trial. Therefore, one main message from *Operation Doubrava* is ensure the staff employed on transnational policing of modern slavery are willing and enabled to do the job within the resources available, work in partnership with other police and non-police partnerships and ensure all are aware that the priority is the rescue of the victims. Yes, people with expert knowledge are required but it is not always possible to have a fully experienced team. Therefore, there is a need to make sure that the rest of the team are willing to learn and that they understand the mission. Understanding organised crime and the vulnerability of organised crime victims needs to be within the core metis of the police. Whilst making sure victims are prioritised make sure the investigation is open minded and suspects are investigated fairly.

Policing is still about preserving life and preventing crime and that underpinned the investigative policy in *Operation Doubrava* at the local and the transnational, without breaching state sovereignty. The evidence naturally came with the protection of the victims and as a result the offenders were brought to justice and this curtailed their criminal activity. However, what is not clear and what needs to be the subject of further research is whether the OCG was fully dismantled and whether the arrests left a vacuum that has been filled by another OCG. Also, how vulnerable the victims in this case are to becoming victims again ([See recommendation 4](#)). This issue is something the participants are aware of as they sort support from other agencies to protect victims and to close the opportunity for victims to be exploited through placement with legitimate businesses.

The knowledge gained from this study has gone some way to meeting the objectives. This evidence review will be widely circulated and will be the subject of separate journal articles⁴⁰, lectures and presentations to spread best practice. The participants are already engaged in spreading best practice and raising awareness. They are doing that with a critical eye on the involvement of legitimate business in making victims vulnerable to exploitation, on improving their own performance through technical advances and the swapping of ideas on best practice between the UK and Latvia. As such this will go some way towards disrupting modern slavery and the researchers can support the participants in the disruption by giving the academic theoretical viewpoint expressed in this study.

⁴⁰ Two journal articles have been written. One is published and captures the essence of the rapid evidence assessment (REA), included as part of this study. That REA is an evaluation of the use of JITs to investigate and disrupt transnational modern slavery impacting on the UK (See – Severns, Paterson and Brogan 2020). The other is yet to be published and suggests a way towards developing a global willing and able police by analysing transnational police culture (see Severns, Paterson and Brogan 2020a)

Brexit implications for JITs remain unclear and the academic research and existing police research into that and the wider investigation of transnational organised modern slavery need to continue to ensure opportunities are not missed. However, policeization does still persist and with police officers in place at the local and national level who are willing and enabled, the UK police will continue to engage in transnational policing in the EU with an emphasis on the glocal rather than the global ([See recommendation 10](#)).

Hopefully, many of the students who have taken part in modern slavery research to support this review and other dissertations, will engage in future work to eradicate modern slavery and some are already embarking on police careers. Certainly, student involvement in real life operational research of organised crime should continue at SHU ([See recommendation 3](#)). Some of the *Operation Doubrava* participants and researchers have also lectured to students to improve their knowledge of modern slavery and transnational policing. Therefore, student knowledge has clearly been advanced and further such lectures and student case studies of organised crime should continue ([See recommendation 11](#)).

The answer to the CRQ may be obvious to some, in that it is willing and able people who make JITs work, but it does provide evidence of how they do that through a glocal victim focussed willing and able JIT Approach as is evidenced in this study. This adds to the knowledge, from an academic point of view, that JITs do work and have continued to develop from 2000 to the present day. It should also encourage police leaders to ensure they understand transnational organised modern slavery investigation, prioritise it accordingly and have the right people in place to investigate it.

PART IV – ‘OVERALL CONCLUSION’

‘This study has demonstrated evidence of increased knowledge of transnational organised crime and a developing response to it aided by a gradual introduction and increased confidence in JITs. JITs do work as a tool to investigate organised modern slavery when they are underpinned by a glocal victim focussed willing and able JIT approach. However, there is a need to understand all forms of modern organised crime and the ever-changing spaces in which they operate, and to research how best to prioritise and respond to organised crime.’ (Summary of Study Findings)

9. [Concluding Thoughts on the Evidence Reviewed in this Study](#)

JITs do work and, a positive willing and able cop culture is key to how and why JITs work. Such a culture is alluded to in some of the research evaluated for the REA but it is not clearly articulated as to how and why it is important or how it can become the norm against a backdrop of predominantly negative cop cultures evidenced in the wider literature. The research of *Operation Doubrava* now adds to the academic knowledge to articulate this.

By establishing an exploratory understanding of the *Operation Doubrva* JIT and the cultures that existed, it has been possible to develop a further understanding of transnational policing within the wider theoretical context of Bowling and Sheptyki's (2012) global policing, which considers transnational police culture. It is clear that transnational policing and some of the negative cultures of policing need to be governed and part of that governance is to establish what is currently known about transnational policing through open minded exploratory research. Such research of *Operation Doubrava*, and similar research by Severns (2015) of the transnational police firearms intelligence network, provides evidence that a positive willing and able culture appears to exist in transnational policing in the EU, which is motivated by the police wanting to do the best for victims. However, many police officers are willing to do the work but are not always enabled, particularly when there is a lack of resources and police managers and leaders need to prioritise which organised crime should be targeted. ([See recommendation 12](#)).

Jordan was continually asked, “...*why should we fund this type of criminality when there’s all this other stuff going on?*”

“This other stuff” is often more visible and visibly characterised by the traditional components of organised crime in the UK such as guns, drugs and established gangs. Modern slavery, as evidenced by the REA, is still a dark crime. However, when it is exposed and put under the microscope the negative impact upon individuals and communities can be seen. It is made visible to the public and politicians respond. As slavery runs deep in the public conscious the responses persevere and are funded because everybody feels that they are doing the right thing, but it still does not receive as high a priority as guns and drugs.

As highlighted by Lynn Owens, the DG of the NCA, organised crime continues to be a national security threat to the UK, with the impact being greater than terrorism (NCA 2019b – A/1/5). Therefore, all forms of organised crime, including modern slavery, should be taken seriously and prioritised based on the vulnerability of the victims and the risk to them. In addition, there should be a push to see if JITs are being used to good effect to investigate all transnational organised crime. The gathering of information for intelligence and improving knowledge on organised crime is important to ensure resources are targeted correctly. The tactic in the current climate should not just be to pull up the draw bridge to keep out the criminals. Those global organised criminals are already here, and it is now possible to bypass the moat without crossing the drawbridge in more ways than one.

Lewis (2019) alludes to how Brexit and drawing up the draw bridge will cut the UK off from some transnational investigative and intelligence gathering opportunities. Therefore, there was a need, in light of the increased effective use of JITs highlighted in this REA, to establish if there is anything in the way JITs work that indicate it is possible to keep them running with or without the EU institutions and agreements. The findings from analysing *Operation Doubrava* suggest it is possible to keep developing JITs through policeization and a ‘can do attitude’ attitude at the transnational level, but ‘Brexit’ could still disrupt the process.

This paper demonstrates there is an evidenced need to deal with modern slavery as a high priority organised crime and, furthermore, to understand how all forms of contemporary organised crime are changing, how different strands of organised crime inter-link, and how

best to prioritise and respond to organised crime as a whole. This should be done within the wider context of global policing (Bowling and Sheptyki 2012), particularly within the glocal sphere of policing which provides opportunities amongst the willing and able to undertake transnational investigation of organised crime and is currently the predominant sphere of global policing in the UK. Such policing should however ensure clear prioritisation based on wide analysis of the organised crime, its threat to victims and the wider community, and take into account issues such as a UK lack of specialist detective and analytical resources, high volumes of digital evidence (MSPTU 2019 – A/1/1) and the potential challenges from Brexit (Lewis 2019).

An increased focus by wider policing partnerships on victims, as engendered by *Operation Doubrava*, might be a solution to moving things forward leading to effective prioritisation and sustainability of a willing and enabled approach. Menichelli (2020) identified that a hands-off approach by central government and a lack of resources has led to innovation in community safety partnerships in England and Wales. They have moved to a mixture of situational and social crime prevention within the original spirit of the 1991 Morgan Report on crime prevention. On the social control side this has led to increased activity among partnerships towards focusing on harm reduction and safeguarding vulnerable people (Menichelli 2020).

“Vulnerability could become the cross-agency language used to describe and make sense of crime” and this could lead to increased partnership working across different agencies to protect vulnerable people and stop them becoming victims. However, the pressure of reduced resources whilst being an opportunity for such innovative prioritisation of vulnerability could also lead to such partnerships being unsustainable (Menichelli 2020, p53). ([See recommendation 13](#)).

In summary, this study has demonstrated evidence of increased knowledge of transnational organised crime and a developing response to it, aided by a gradual introduction and increased confidence in JITs. JITs do work as a tool to investigate organised modern slavery when they are underpinned by a glocal victim focussed willing and able JIT approach. However, there is a need to understand all forms of modern organised crime and the ever-changing spaces in which they operate, and to research how best to prioritise and respond to organised crime and its victims.

9.1 [Recommendations](#)

1. **The researchers suggest a general definition of organised crime based on several sources. However, further research is required to construct a more dynamic continuum of organised crime to which the police can respond with the correct resources depending on an assessment of the intelligence showing how organised the crime is within that continuum and a risk assessment of the impact.**

As stated on page 11 of this report, there are many interpretations of organised crime in the academic literature and in various police and LEA strategies. In summary organised crime can be defined as, *'more than one person working together over a period to commit crime for personal gain. By committing crime, or in order to protect their criminal enterprise, those criminals present a serious threat to society by way of violence, corruption or damage to the economy'* (See Hobbs 1998, Levi 1998, Reichel 2005, Levi 2007, SOCA 2009 and Severns 2012). ([Page 11](#)).

This globally organised threat suggests there is a need to construct a more dynamic continuum of organised crime to which the police should respond with the correct resources depending on an assessment the intelligence showing how organised the crime is within that continuum and a risk assessment of the impact. (See [page 163](#)).

- 2. If access can be gained, further research is required with Organised Crime Group (OCG) members to capture a deeper understanding of their motivations and operational structures. Victim motivation and self-preservation also needs to be considered as potential victims can be motivated to prevent crime and action is required to halt any transition into offending, especially re-victimisation.**

Knowing and understanding the complex crime scripts and the nodal networks involved can help in determining how to prevent, detect and disrupt organised crime (Cornish and Clarke 2002, Kenny 2008, Shearing and Johnston 2010) whether a structure or activity approach (Sergi 2013) is taken. It also helps to break down the crime for investigative purposes as shown by *Operation Doubrava* participants who used a form of script analysis when viewing the Doubrava OCG as an illegal business structure. In addition, by identifying the motivation for the crime, in response to the criticism of RCT, other distinctions can be made to enable wider social controls to be implemented to reduce the causes of crime (Severns 2015).

If access can be gained, further research is required with OCG members to capture a deeper understanding of why they are motivated by gain to see if there is anything more than greed behind it. Victim motivation also needs to be considered as potential victims can be motivated to prevent crime; especially re-victimisation (Paterson 2015) (See [page 165](#)).

- 3. Consider using SHU criminology and or police students to complete a full intelligence debrief of Operation Doubrava using crime script analysis. The *Operation Doubrava* Team are in possession of more detailed information of the script, which should be captured in a full intelligence debrief. If successful, consider as a regular event for undergraduate and post graduate students possibly as part of the dissertation module.**

Gene states that it became obvious that Latvian police help was required to deal with the transnational business set up. The OCG members, most from the same family, carried out the exploitation of their victims in England keeping a low profile there and lived a luxury life in Latvia spending the proceeds of their crime on luxury houses, cars and other goods. They also exploited victims in Latvia keeping one individual living in squalid conditions in the

grounds of one of their luxury houses and using him as a house slave. In summary, this is a transnational OCG operating a transnational organised crime business with a global impact in both England and Latvia.

This is a broad transnational crime script that Gene describes, and the *Operation Doubrava* Team are in possession of more detailed information of the script, which should be captured in a full intelligence debrief. However, it demonstrates the importance of understanding in detail how organised crime operates so that it can be investigated effectively by actioning evidence gathering around each part of the script, in this case a business script.

Understanding the script also adds to the organisational learning alluded to by Billy, especially when it is analysed alongside the scripts of other OCGs. This adds to the intelligence picture and enables wider action by police and partners to prevent and detect organised crime. (See [page 169](#)).

The police need to be a '*learning organisation*' (Bowers 2008, p271) to develop legitimate metis that takes account of ethics and proportionality and gains knowledge on crime and criminals as well as knowledge on how to respond to the criminal threat. The police have more efficient but lengthy bureaucratic ways of storing and analysing information to produce intelligence and knowledge and to train their staff in skills for flexible deployment (Kenny 2008). Therefore, they need to continually review and debrief operations such as *Operation Doubrava* to ensure all knowledge is turned into learning to develop legitimate metis. The police could consider using other organisations, such as universities, to help do this and add to academic learning at the same time. (See [page 170](#)).

Therefore, organisational learning for the police is important if they are going to keep pace with ever developing organised crime. The police need to continue to develop metis (Kenny 2008) by debriefing operations and investigations and spreading the knowledge that comes from the debriefings to reorganise and keep one step ahead of the organised criminals. The policing degree courses should provide opportunities for researching and debriefing to develop useful knowledge and engrain it as metis within the police and other LEAs. (See [page 189](#))

Hopefully, many of the students who have taken part in modern slavery research to support this review and other dissertations, will engage in future work to eradicate modern slavery

and some are already embarking on police careers. Certainly, student involvement in real life operational research of organised crime should continue at SHU. (See [page 216](#)).

- 4. Consideration must be given to gathering intelligence to see what if any, adaptation the *Operation Doubrava* offenders make to continue their criminal enterprise or if anyone has adapted to take advantage of their absence from the market. Consider using SHU students to assist with research into the impact of *Operation Doubrava*, further police networking and the use of self-surveillance by victims to stop repeat victimisation and identify new OCGs.**

'OCGs move about more freely and acquire up to date technology without budget constraints and the need to seek authorisation for deployment. They operate complex flat networks that continually adapt. If one link is removed another will appear in its place. The police need to study the complexity of those criminal networks and adapt and re-organise their own networks accordingly to avoid operating in hierarchical silos, which is a 'competency trap' that the police keep falling in to' (Severns 2015, p69 citing Kenny 2008). Therefore, whilst they are in prison and once they have been released, consideration must be given to gathering intelligence to see what if any, adaptation the *Operation Doubrava* offenders make to continue their criminal enterprise or if anyone has adapted to take advantage of their absence from the market. Globalisation provides opportunities for more efficient police networking (Bowling and Sheptycki 2012) to reorganise and challenge OCGs, provided the networking is accountable, governed and not rushed into. Liberal democratic states must prevail and work together, subject to due process and they must develop legitimate police metis, underpinned by positive policing culture (Sheptycki 2004, Findlay 2008, Kenny 2008, Leary and Thomas 2011, Bowling and Sheptycki 2012) (See [page 171](#)).

Policing is still about preserving life and preventing crime and that underpinned the investigative policy in *Operation Doubrava* at the local and the transnational, without breaching state sovereignty. The evidence naturally came with the protection of the victims and as a result the offenders were brought to justice and this curtailed their criminal activity. However, what is not clear and what needs to be the subject of further research is whether the OCG was fully dismantled and whether the arrests left a vacuum that has been filled by another OCG. Also, how vulnerable the victims in this case are to becoming victims again. (See [page 215](#)).

5. Police working with SHU students to use crime script analysis to identify opportunities for raising awareness of modern slavery and ways to prevent it amongst the business community. Initially targeting transport and employment agencies.

In summary, the Doubrava OCG fits with Cooper et al's (2017) typology 3 (Labour Exploitation, where victims work for someone other than the offenders), with some of the substance misuse and mental health vulnerabilities identified in Cooper et al's (2017) typology 1 (Labour Exploitation where victims are exploited for multiple purposes in isolated environments). It was a transnational OCG having a local impact making it a glocal organised crime. It operated as an illegal business using family and community contacts working together to recruit vulnerable people in Latvia on the false promise of good pay and conditions, transporting them by legitimate air transport to the UK and placing them in accommodation and legitimate jobs in the food industry. The victims were exploited in that they were placed in substandard living conditions and their wages were spent by the OCG on luxury goods and property for themselves in Latvia. Further research is required to see how the OCG acquired their metis to develop their illegal business but there are opportunities from the script to identify areas for closing down the opportunity for such OCGs to operate. This includes raising awareness amongst the legitimate businesses who transport and employ the exploited victims, which the *Operation Doubrava* participants are already doing and are keen to do further with the help of SHU. (See [page 172](#)).

6. Police to continue with the programme of raising awareness amongst all staff at all ranks of organised modern slavery and the signs to look for. Where possible use *Operation Doubrava* as a case study.

There was a high degree of commitment in the specialist teams (HMICFRS 2017). This may point to the existence of a clear 'willing and able' culture that needs to be nurtured (Heeres 2012, p112), but according to some investigators there was a lack of commitment at the strategic level probably because complex modern slavery investigations require a commitment of resources that leaves other investigations stretched (HMICFRS 2017). (See [page 112](#)).

After identifying the existence of possible modern slavery offences, following a report of domestic violence, Derbyshire Police pursued the establishment of a JIT with support from other nodes that formed the *Operation Doubrava* network. They were the NCA and Europol. First, the initial response is described by Gene who also identifies the importance of raising awareness of modern slavery and training amongst first responders, who in this case were uniformed police response officers from Derbyshire. (See [page 187](#)).

Jordan explains that as more victims were identified, the extent of the organised modern slavery became apparent and senior leadership continued to support the investigation and enforcement with resources. However, that did not stop other officers being sceptical about how much priority was being put into the investigation, suggesting that Jordan was '*too much in the weeds of the operation*' and needed to concentrate on other matters, which appeared to command a higher degree of importance to some, such as firearms command and other volume, organised and serious crime. Whether this is a case of a lack of understanding on the part of other officers or a culture of 'scepticism' or 'mission importance' is not clear, however it does highlight a further need to make all officers of all ranks fully aware of the extent of moderns slavery as an organised crime. (See [page 193](#)).

7. The police need to study the complexity of criminal networks (which they have during *Operation Doubrava*) and adapt and re-organise their own networks accordingly to avoid operating in hierarchical silos. Increased training for staff is needed to help them understand transnational police networks and how to set up a JIT.

Other themes from the theory of change (and the investigative intervention) evidence examined in the REA includes an increased awareness of modern slavery and how it is investigated. That has become more apparent in later years, especially with the introduction of the MSPTU. However, more awareness raising, and training of police officers is required, and it needs to be sustainable in line with the aims of extending the MSPTU operation until 2020. Front line police officers lack training in recognising the signs of THB and modern slavery, so that initial important action can be taken to preserve evidence and investigators need the expertise to manage local and transnational investigations. More training and

awareness raising on JITs continues to be advocated by the JIT network of experts and Eurojust (Eurojust 2018a). (See [page 135](#)).

Jordan adds some critique of the police response when talking about police working in silos and not seeing the whole picture as a result. Kenny (2008, p24) calls that the '*competency trap*' that the police keep falling in to. The police need to study the complexity of criminal networks (which they have during *Operation Doubrava*) and adapt and re-organise their own networks accordingly to avoid operating in hierarchical silos (Kenny 2008). (See [page 188](#)).

Successful policing where victims are protected, and crime is curtailed by bringing offenders to justice is about choosing the right people to do the job of policing. If not with the knowledge, experience and willingness to make things happen then, at least, with some investigative knowledge and the willingness to learn and make things happen. Police leaders must also be willing to make things happen and not be blinkered as to what constitutes organised crime.

Police leaders need to manage change and the expectations of those they lead, police partners and the community they serve. In doing so they should take a note from *Operation Doubrava* and others quoted in this study and make "*Vulnerability ... the cross-agency language used to describe and make sense of crime*" (Menichelli 2020, p53).

Hopefully, the new police degrees will foster a willingness to change and improve knowledge on organised modern slavery and other organised crime at an early stage. Time will tell, but it does present opportunities for students on such courses to be involved in organised crime research as with the students who researched *Operation Doubrava*. (See [page 205](#)).

8. Consideration should be given to introducing the wider study of organised crime (including the willing and able culture response) to the police degree.

Organisational learning for the police is important if they are going to keep pace with ever developing organised crime. The police need to continue to develop metis (Kenny 2008) by debriefing operations and investigations and spreading the knowledge that comes from the debriefings to reorganise and keep one step ahead of the organised criminals. The policing

degree courses should provide opportunities for researching and debriefing to develop useful knowledge and engrain it as metis within the police and other LEAs. (See [page 189](#)).

9. Consider further academic research on the work of the JIT experts and compare them with the European Firearms Experts (EFE) and other similar groups to establish what influence all such groups have on sustaining best practice in transnational policing and the reconstruction of policing and to confirm where they fit within the theory of global policing and policeization.

There is a need to ensure sustainability of best practice in transnational policing and this will be achieved by continuing the links between different nation state police forces and ensuring by continual review that the links are relative and operating ethically and with good governance. This needs to continue even in the face of Brexit which still threatens the reduction of links between the UK and other European police and LEAs. Severns (2015) found that a driver for such a review and sustainability of relevant action, ethical investigation and good governance in the police transnational firearms intelligence network was the group of European Firearms Experts (EFE).

EFE was a Netherlands proposal which was established by a meeting of European Police Chiefs in 2004. It brings together Deflem's (2002) policeization with Bowling and Sheptycki's (2012) technical experts. The group are operationally independent from their democratic nation state and meet as an EU group to create transnational policing processes. They discuss options for dealing with trends in global and transnational crimes. Some of the meetings result in policy development by the respective nation state governments of the police involved (European Commission 2013 – A/1/5, EU 2013 - A10, Unknown 2014 – E/4/0). The group of JIT experts is like the EFE. They meet to review and spread best practice on JITs and are discussed in chapter 4.2. Little mention is made by the *Operation Doubrava* police participants of this group, but they confirm they were due to be reviewed. It would be a useful to further research the work of the JIT experts and compare them with the EFE and other similar groups to establish what influence all such groups have on sustaining best practice in transnational policing and the reconstruction of policing, and to confirm where they fit within the theory of global policing and policeization. (See [page 213](#)).

10. Brexit implications for JITs remain unclear and the academic research into that and the wider investigation of transnational organised modern slavery need to continue to ensure opportunities are not missed.

The assertion in some of the literature is that Europol remains an information exchange and an administrative support function, rather an organisation that shapes transnational policing and takes an active part in it (Severns 2015). However, current evidence suggests Europol and Eurojust have moved on in the setting up and running of JITs and are much more involved in making transnational policing work. That is confirmed by Anna Bradshaw who has worked for the Law Society on Brexit (Lewis 2019).

Anna Bradshaw does not specifically mention JITs or the recent International JIT (International Agreements) (EU Exit) Order 2019 (National Archives 2019) , which appears to be promoted as a positive way forward by the Modern Slavery Police Transformation Unit (MSPTU) (2019). However, she does raise concern by stating that if the UK leaves the EU without a deal, any useful agreements on working with Europol and Eurojust and the ability to work with EU countries to investigate transnational crime will cease without any contingency (Lewis 2019). Hopefully the transition period now in place until the end of 2020 will lead to an agreement for continued access by the UK to JITs and other European investigative initiatives such as the Schengen II crime and intelligence data base, but that is by no means certain (Mason 2020).

Without a deal, access to Europol and Eurojust including access to EU databases for exchanging information on crime and criminals will cease immediately, it will have to be renegotiated and will be limited. Such renegotiating will involve a series of bi-lateral agreements with individual countries, which will disrupt and slow down any processes, even if agreements can be reached. Even if the UK leaves the EU with a deal, access to Europol and Eurojust and the ability for the UK to take part in transnational investigation with EU countries will still need to be negotiated. Again, re-negotiated access is likely to be limited, but there will be a transitional period to complete the negotiation (Lewis 2019). The impact of Brexit has been considered as part of researching Operation Doubrava; especially how such investigations might progress in future in light of the International JIT (International Agreements) (EU Exit) Order 2019 and the apparent optimistic view of the order by the MSPTU (2019) weighed against the pessimistic view of transnational investigation work put forward by Lewis (2019).

The JIT Network has a dedicated secretariat within Eurojust, and they meet annually to review their work. They met on 6th and 7th June 2018 for the fourteenth annual meeting and

again on 5th and 6th June 2019 for the fifteenth meeting (JITs Network 2018, Eurojust 2018 and 2019). The JITs Network (2017) conclusions from the thirteenth meeting on 17th and 18th May 2017 discussed the differing complexities involved in including nation states from outside the EU in an EU JIT, such as the USA and Switzerland. However, they found the EU model was flexible enough to accommodate differing situations and there is a push for more third country JITs (JITs Network 2017). The fact EU JITs appear to work effectively with nation states outside the EU is one area that needs researching from a UK point of view as it will become a third country outside the EU in the event of Brexit (Great Britain, Parliament, Houses of Lords and Commons 2016, CEPS and QMUL 2018, MSPTU 2019, Lewis 2019). (See [page 32](#))

Brexit implications for JITs remain unclear and the academic research and existing police research into that and the wider investigation of transnational organised modern slavery need to continue to ensure opportunities are not missed. However, policeization does still persist and with police officers in place at the local and national level who are willing and enabled, the UK police will continue to engage in transnational policing in the EU with an emphasis on the glocal rather than the global. (See [page 215](#))

11. Continue to use *Operation Doubrava* and similar operations as a case study in relevant modules for criminology and police students at SHU.

Some of the Operation Doubrava participants and researchers have also lectured to students to improve their knowledge of modern slavery and transnational policing. Therefore, student knowledge has clearly been advanced and further such lectures and student case studies of organised crime should continue. (See [page 216](#)).

12. Research to continue into transnational organised crime and the use of JITs with a view to sustaining a willing and able approach to responding to organised crime.

By establishing an exploratory understanding of the *Operation Doubrva* JIT and the cultures that existed, it has been possible to develop a further understanding of transnational policing within the wider theoretical context of Bowling and Sheptyki's (2012) global policing, which

considers transnational police culture. Transnational policing and some of the negative cultures of policing need to be governed and part of that governance is to establish what is currently known about transnational policing through open minded exploratory research. Such research of *Operation Doubrava*, and similar research by Severns (2015) of the transnational police firearms intelligence network, provides evidence that a positive willing and able culture appears to exist in transnational policing in the EU, which is motivated by the police wanting to do the best for victims. However, many police officers are willing to do the work but are not always enabled, particularly when there is a lack of resources and police managers and leader need to prioritise which organised crime should be targeted. (See [page 218](#)).

13. Vulnerability and the safeguarding of victims should be considered as the priority for any investigation, but without compromising an open-minded and fair investigation of suspects.

Studies suggest that issues such as poverty, low socio-economic status, lack of education, substance abuse, immigration status, limited opportunities in one's country of origin are some of the key drivers that contribute to vulnerability (Hynes et al, 2018). The factors that highlight vulnerability *"manifest at the international, domestic and individual level"* (IASC 2018, p12). (See [page 172](#)).

Looking wider than Operation Doubrava, there are other vulnerabilities drawing victims into modern slavery which policy makers need to consider, as alluded to by Baljit Ubhey; a CPS witnesses appearing before the Home Affairs Select committee:

"Let me draw out how difficult it is in this particular space, because I think the issue is magnified here. It can be because of immigration status and other vulnerabilities. ...There are some really good examples of proactive and innovative prosecutions. We have had the first prosecution for extraterritorial provisions: it was a British citizen who was trafficking women from Nigeria into Germany for prostitution. Where the victim support in this case was particularly pertinent was that in Nigeria, they performed a juju ceremony that then added an extra dimension of compliance for the victims in being trafficked. When it came to bringing that case to court and prosecuting and keeping those victims on board, we addressed that issue by

organising for someone to reverse the ceremony so that the victims had confidence that they were not somehow going to be cursed by giving evidence against the defendant. We also called in a cultural expert to explain all of this to the jury so that they could understand why these women went along with this. I think that is a really good example of highlighting some of the complexities around victim care and support” (Great Britain, Home Affairs Select Committee 2019 – B25).

This illustrates the importance of viewing the victims lived experience in totality as forms of vulnerability, culture and other societal factors may collide to highlight a unique and complex experience of disadvantage, psychological entrapment and potential cultural barriers that hinders individual's willingness to come forward. An intersectional lens focusses on contextual realities and thus accounts for the challenges and barriers victims may face (Cho et al 2013). Adopting this perspective helps identify the most significant ways in which they are exploited but also allows for the identification of the means through which they can be supported and arguably the most critical points of intervention. (See [page 175](#)).

Even though Derbyshire Police and Latvian Police relied on other agencies (further nodes in the *Operation Doubrava* network) for supporting victims, the Derbyshire police policy was to put victim rescue as the priority for Operation Doubrava. Evidence gathering was the second priority but by ensuring safety of the victims and supporting them to give evidence at court the evidence followed. The Latvian Police generally have a different approach to victims in that they can compel victims (and witnesses) to speak to them; however, they did prioritise the victims as part of the Operation Doubrava JIT and, as a result, implemented systems used to gather evidence from victims in the UK as best practice. According to Jordan:

“...it took quite a lot (for) detectives ...(to change) their mind-set from actually saying this is not about detections, this is not about detecting that criminality, it's not about getting those offenders locked up, it's a total different tact, you know. The main priority was rescuing and recovery of victims, secondary came the criminal justice outcome because if you're saying it's about people and about victims and about vulnerability, as long as you've secured that and you've made people safe, you've rescued them, you're dealing with the vulnerability and you've got that support network in place, does it really matter that you get somebody convicted? ...I think probably three or four months in (those detectives and others) started to understand ...because they had lived and breathed it for a period of about three month, four month, so they were now starting to understand and see a little bit more about the

people, how they were being treated, how they were being dealt with, and it were changing that mind-set.” (See [page 201](#)).

“Vulnerability could become the cross-agency language used to describe and make sense of crime” and this could lead to increased partnership working across different agencies to protect vulnerable people and stop them becoming victims. However, the pressure of reduced resources whilst being an opportunity for such innovative prioritisation of vulnerability could also lead to such partnerships being unsustainable (Menichelli 2020, p53). (See [page 220](#)).

10. [Appendix](#)

10.1 [PICO question construction \(Civil Service 2010\)](#)

REA question:

“To evaluate how effective JITs, and other similar interventions, have been at safeguarding victims and investigating and disrupting transnational organised modern slavery impacting on the United Kingdom (UK)?”

Population

Define the population that you are interested in.

UK organisations investigating and prosecuting modern slavery impacting on the UK.

Intervention

Define the intervention that you are interested in measuring the outcomes from.

Transnational investigation of transnational modern slavery.

Comparison

What comparison group are you using to compare the outcomes from the intervention against?

There is no direct comparison. REA will identify the different styles of investigation, the different ways that JIT have been implemented and any comparisons that the individual research has used.

Outcome

What outcome measure/s are you interested in?

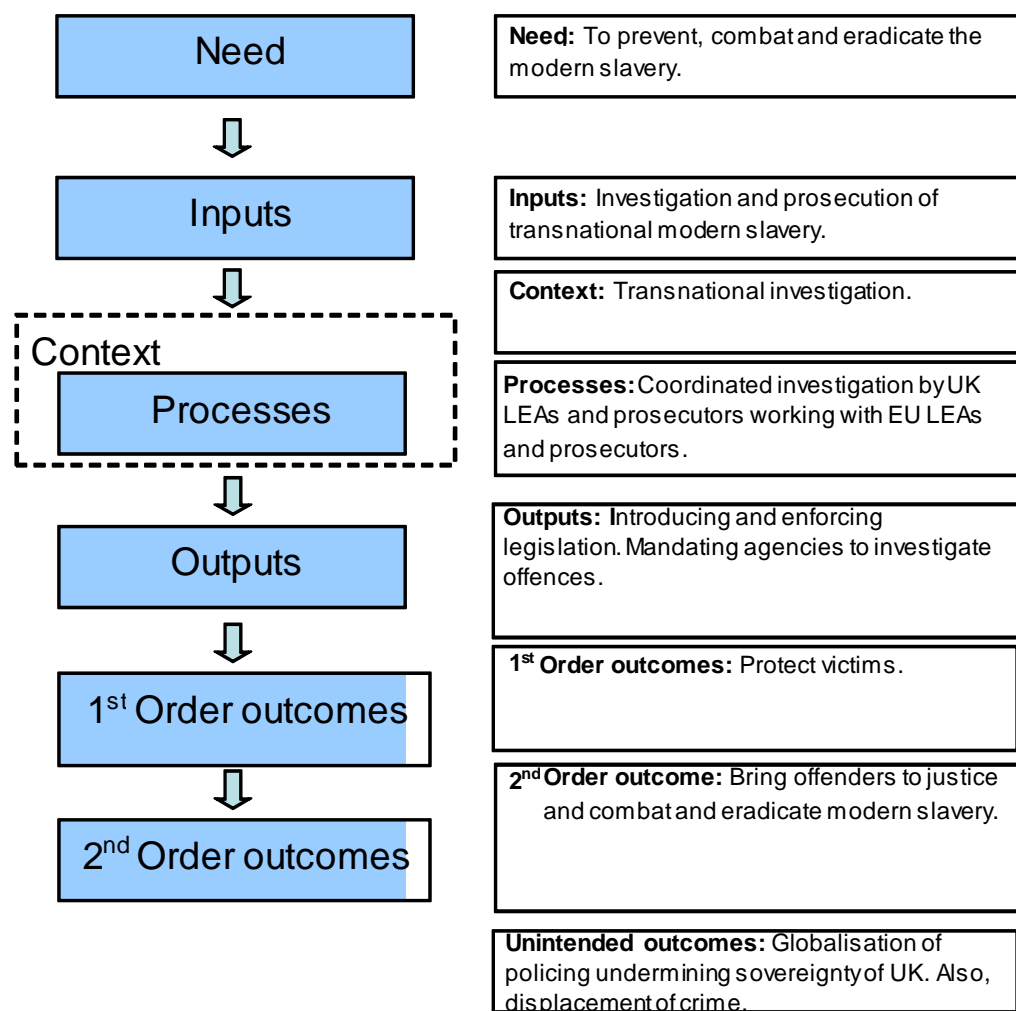
What works in relation to the investigation of transnational modern slavery.

10.2 [Maryland Scale \(Civil Service 2010\)](#)

Increasing methological quality	
Level 1	Observed correlation between an intervention and outcomes at a single point in time. A study that only measured the impact of the service using a questionnaire at the end of the intervention would fall into this level.
Level 2	Temporal sequence between the intervention and the outcome clearly observed; or the presence of a comparison group that cannot be demonstrated to be comparable. A study that measured the outcomes of people who used a service before it was set up and after it finished would fit into this level.
Level 3	A comparison between two or more comparable units of analysis, one with and

	one without the intervention. A matched-area design using two locations in the UK would fit into this category if the individuals in the research and the areas themselves were comparable.
Level 4	Comparison between multiple units with and without the intervention, controlling for other factors or using comparison units that evidence only minor differences. A method such as propensity score matching, that used statistical techniques to ensure that the programme and comparison groups were similar would fall into this category.
Level 5	Random assignment and analysis of comparable units to intervention and control groups. A well conducted Randomised Controlled Trial fits into this category.

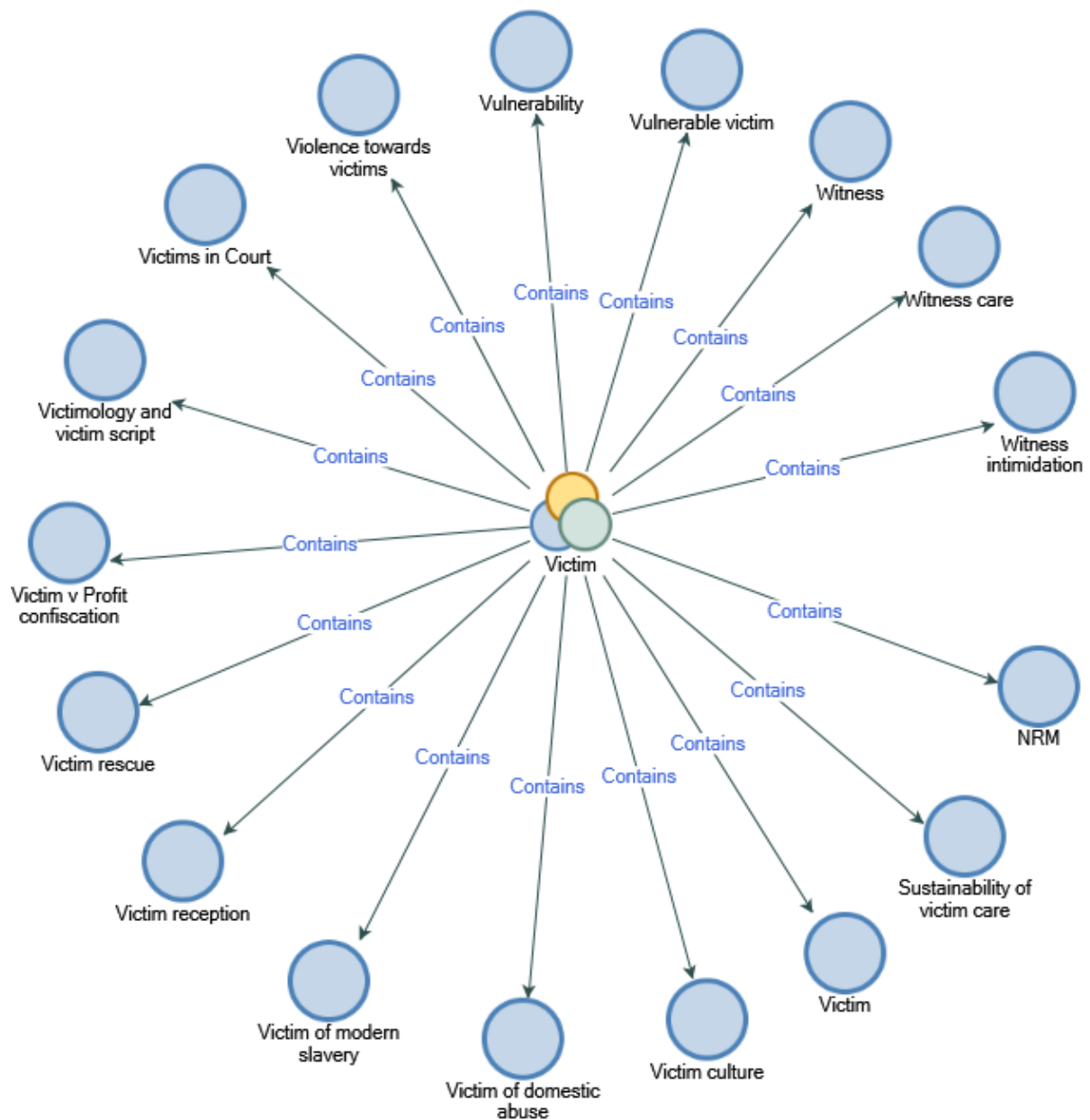
10.3 [Theory of change model for investigating modern slavery](#)



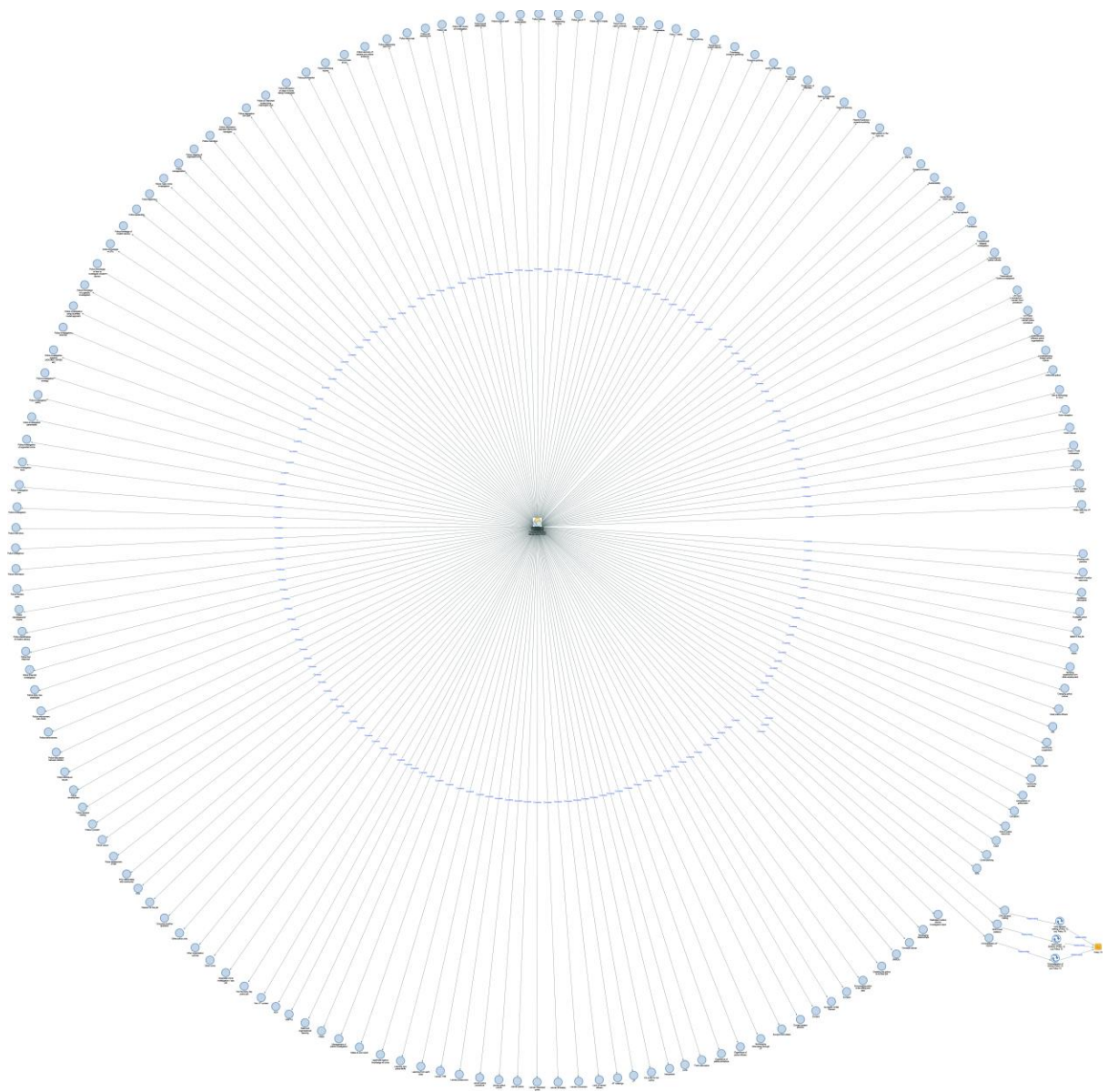
Modern Slavery as a TNOC Threat



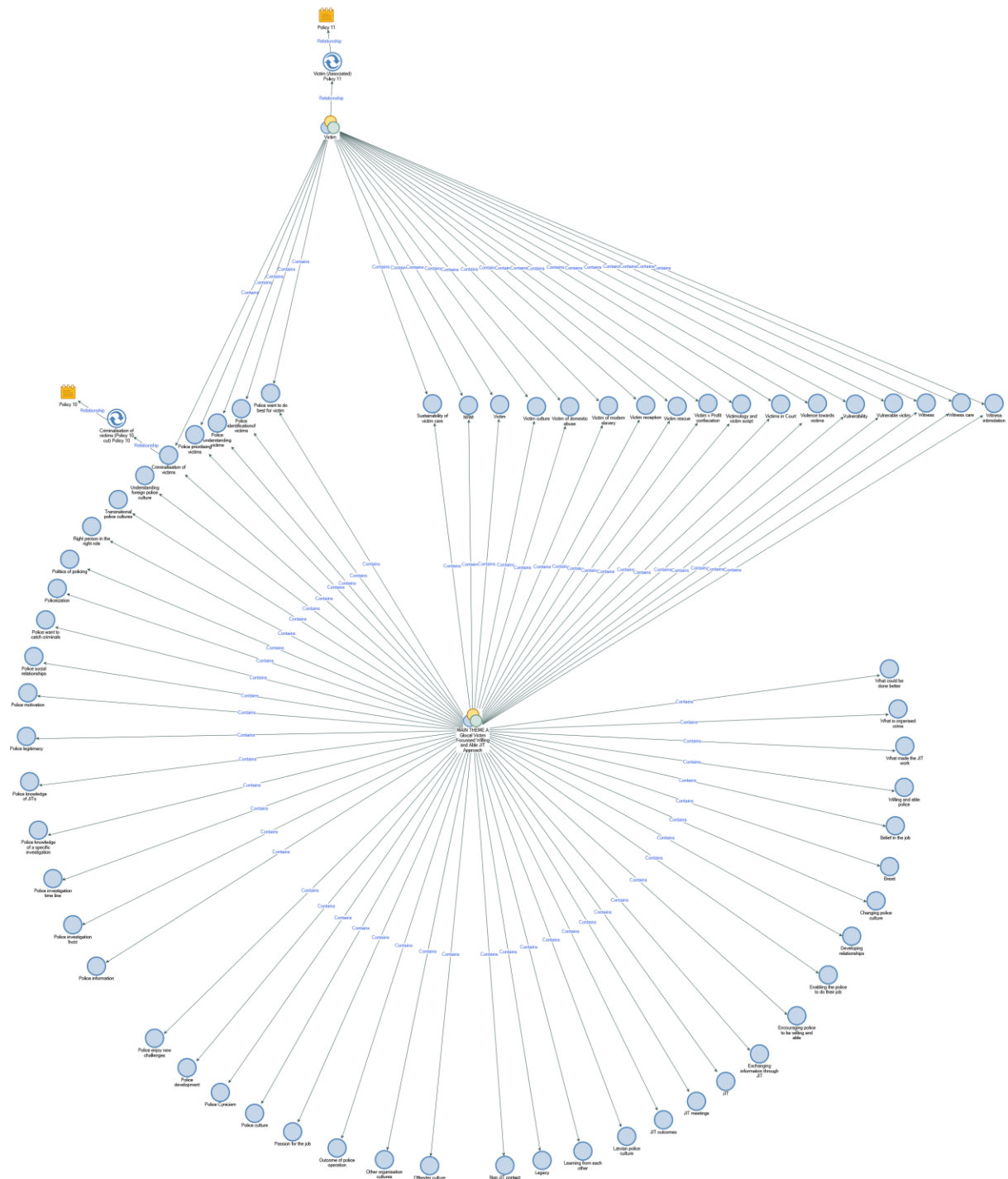




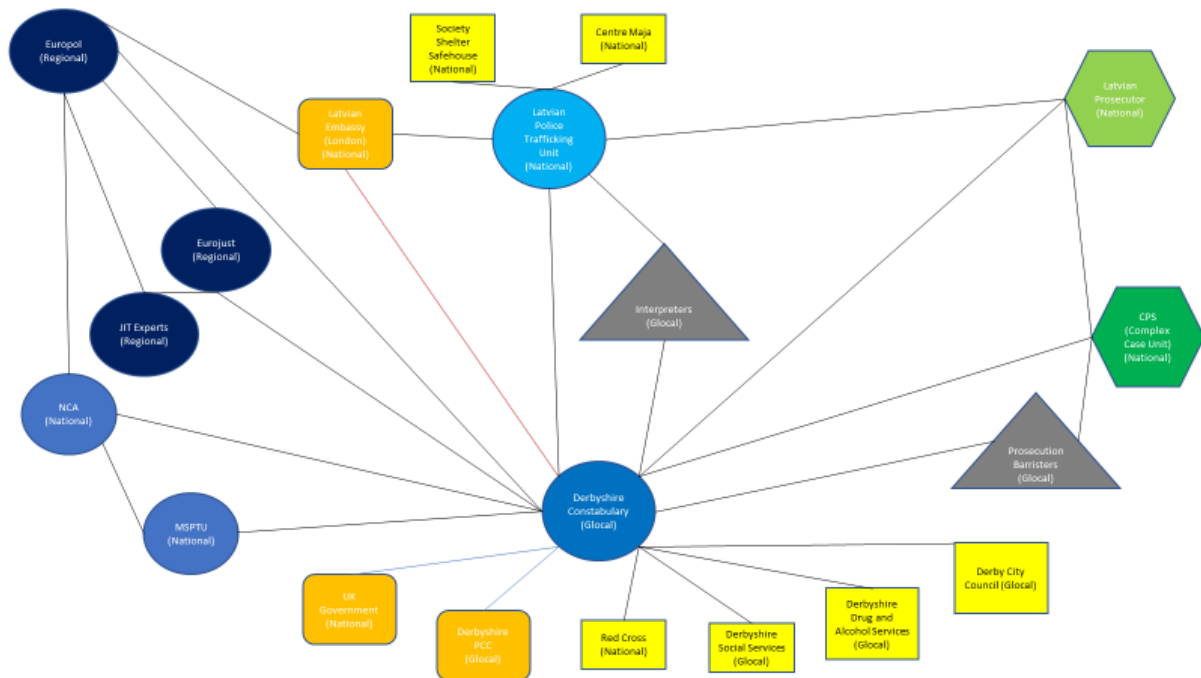
Transnational Policing of Modern Slavery as a TNOC



A Glocal Victim Focussed Willing and Able JIT Approach



10.5 The Operation Doubrava Police Network



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