

25 November 2019

Freedom of Information Request - Reference No: 20192419

REQUEST

I would like to receive information regarding the number of people smuggling or human trafficking offences investigated by your force between 2016 and 2019 (so far).

Specifically can you tell me:

How many cases of people smuggling or human trafficking has your force investigated in 2016, 2017, 2018 and 2019 (so far)?

For each case, please give the number of victims involved, and their country of origin, if known.

For each case please give the outcome - i.e. prosecution, conviction, not enough evidence to proceed etc.

RESPONSE

I approached our Crime Management Data Returns Officer for assistance with your request. The CMS system and Connect System is used to record complaints or allegations of those matters, which the Home Office specify should be recorded as 'crimes'.

She conducted a search of the two crime management systems. (CMS - our legacy system which provides data up to 4th December 2017 and our new CONNECT system which records crimes from that date onwards)

She provided me with the enclosed spreadsheet in response and the following explanation regarding her search criteria:

We have provided all offences recorded under the Modern Slavery Act. If the requester is only interested in specific circumstances of offence, then each offence would have to be reviewed at record level to establish the full circumstances.

Below are extracts from the Home Office Counting Rules which may assist –

106 Modern Slavery (1 of 2)

RECORDING PRACTICE:

NATIONAL REFERRAL MECHANISM All referrals made by the police into the NRM (including all cases where a Duty to Notify submission is made) must be subject of a recorded crime of MS unless it is determined that all MS criminality occurred outside England and Wales in which case an N200/04 must be recorded. In cases where a rape is also reported, having occurred outside England and Wales, in addition to the MS a reported incident of rape under N100/3 must be recorded. For referrals the police receive from the NRM all those with a positive reasonable grounds decision applied must be subject of a recorded crime of MS. Where the referral from the NRM has either: A reasonable grounds decision pending or, a negative reasonable grounds decision or, is a Duty to Notify referral (not submitted by the police) only or, has all MS criminality entirely outside of England and Wales.

Then an N200 must be recorded unless the FCR considers it appropriate or necessary to record a crime. As provided by the HOCA any other crime(s) disclosed must be recorded in addition to the MS by applying the relevant rules. Amended April 2019.

106 Modern Slavery (2 of 2)

Principal Crime

Modern Slavery in all cases should be recorded in addition to the most serious additional victim based offence involving the same victim-offender relationship.

Examples

1: A brothel is raided in force A and three working females there report they have been subject of modern slavery arranged by persons who are abroad and also that they were all raped by a male in this country when they arrived.

6 crimes (3 class 106 and 3 rapes (classification according to ages of victims) by Force A).

2: A remote farm is raided by Force B and a group of 4 males are found living in a shipping container. It is established they are victims of modern slavery. 1 male provides details that he has been assaulted as part of efforts to force him to work and the injuries are consistent with a section 18 offence.

Five crimes (4 class 106 and 1 class 5D by force B).

3: A take away restaurant is raided by Force C and a group of 5 females is found and it established They have been subject of modern slavery. In addition 3 of them report that items of personal property have been stolen from them by the owners of the restaurant.

Five crimes Class 106 and three crimes class 39 by force C

South Yorkshire Police can neither confirm nor deny that we hold any other information relevant to this request by virtue of the following exemptions:

Section 24(2) National Security Section 31(3) Law enforcement

Section 24 and Section 31 are both qualified exemptions and as such there is a requirement to evidence any harm that confirming or denying that any other information is held, in addition to considering the public interest.

Harm in confirming that Information is held

The definition of national security encompasses a wide spectrum and it is our duty to protect the people within the UK. Public safety is of paramount importance to the policing purpose and must be taken into account in deciding whether to disclose whether the information is or is not held. Furthermore, confirming if particular tactics are used and confirming policing methods which are not in the public domain may prejudice the use of this method by allowing criminals to adopt counter measures.

To confirm or deny whether we hold any further information, would allow interested parties to gain an upper hand and awareness of policing policy and decisions used to safeguard national security. To confirm or deny that any other information is held or provide details relating to what may or may not be held may be to the detriment of providing an efficient policing service and a failure in providing a duty of care to all members of the public, and this would also impact upon any current investigation.

Public Interest Test

Section 24 - Factors favouring confirming or denying that any other information is held

Confirming or denying that any other information exists relevant to the request would lead to a better informed public and the public are entitled to know how public funds are spent. The information simply relates to national security and disclosure would not actually harm it.

Section 24 - Factors against confirmation or denying that any other information is held

To confirm or deny whether South Yorkshire Police hold any additional information would allow inferences to be made about the nature and extent of national security related activities which may or may not take place. This could enable terrorist groups to take steps to avoid detection, and as such, confirmation or denial would be damaging to national security.

By confirming or denying any policing arrangements of this nature would render national security measures less effective. This would lead to the compromise of ongoing or future operations to protect the security or infra-structure on the UK and increase the risk of harm to the public.

Section 31 – Factors favouring confirming or denying that any other information is held

Confirming or denying whether any further information is held would allow the public to see where public funds have been spent and allow the Police service to appear more open and transparent.

Section 31 - Factors against confirmation or denying that any other information is held

By confirming or denying whether any further information is held would mean that law enforcement tactics would be compromised which would hinder the prevention and detection of crime.

Security arrangements and tactics are re-used and have been monitored by criminal groups, fixated individuals and terrorists. These security arrangements and tactics would need to be reviewed which would require more resources and would add to the cost to the public purse.

Balancing Test

The Police Service is charged with enforcing the law, preventing and detecting crime and protecting the communities we serve. The security of the country is of paramount importance and the Police Service will not divulge whether any other information is or is not held if to do so would place the safety of an individual at risk or undermine National Security.

Whilst there is a public interest in the transparency of policing, providing assurance that the Police Service is appropriately and effectively engaging with the threat from criminals, there is a very strong public interest in safeguarding both National Security and the integrity of the police in knowing that policing activity is appropriate and balanced in matters of National Security; this will only be overridden in exceptional circumstances.

It is therefore my opinion that for these issues the balancing test for confirming or not that any other information is held, is not made out.