

## Statistical Bulletin

### Modern Slavery Offences

#### Introduction

This bulletin provides information on volumes and sentence outcomes for adult offenders<sup>1</sup> sentenced for offences under the Modern Slavery Act 2015 which are covered by the Sentencing Council's draft guideline on modern slavery.

There is one draft guideline being proposed to cover the following offences:

- Slavery, servitude and forced or compulsory labour, Modern Slavery Act 2015, (section 1); and
- Trafficking for the purposes of exploitation, Modern Slavery Act 2015, (section 2).

It is proposed that offences under section 4 of the Modern Slavery Act 2015 (committing an offence with the intention of committing a human trafficking offence) will be covered by an additional brief guideline, rather than the detailed guideline covering the previous two offences. The volumes of these cases are understood to be very small and are not included in this report or the underlying data tables.

Furthermore, offences under section 30 of the Modern Slavery Act 2015, breach of a slavery and trafficking risk order (STRO) or prevention order (STPO), are proposed to be dealt with as an analogous offence within the *Breach Offences* definitive guideline.<sup>2</sup> Volumes for this offence are also very small and are also not included.

The Court Proceedings Database (CPD), maintained by the Ministry of Justice, is the data source for this bulletin.

Additional figures are available to download as Excel spreadsheets or Open Document spreadsheets at the following link:  
<http://www.sentencingcouncil.org.uk/publications/?type=publications&s&cat=statistical-bulletin>.

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<sup>1</sup> Offenders aged 18 or over at the time of conviction.

<sup>2</sup> <https://www.sentencingcouncil.org.uk/publications/item/breach-offences-definitive-guideline/>

## Slavery, servitude, and forced or compulsory labour offences

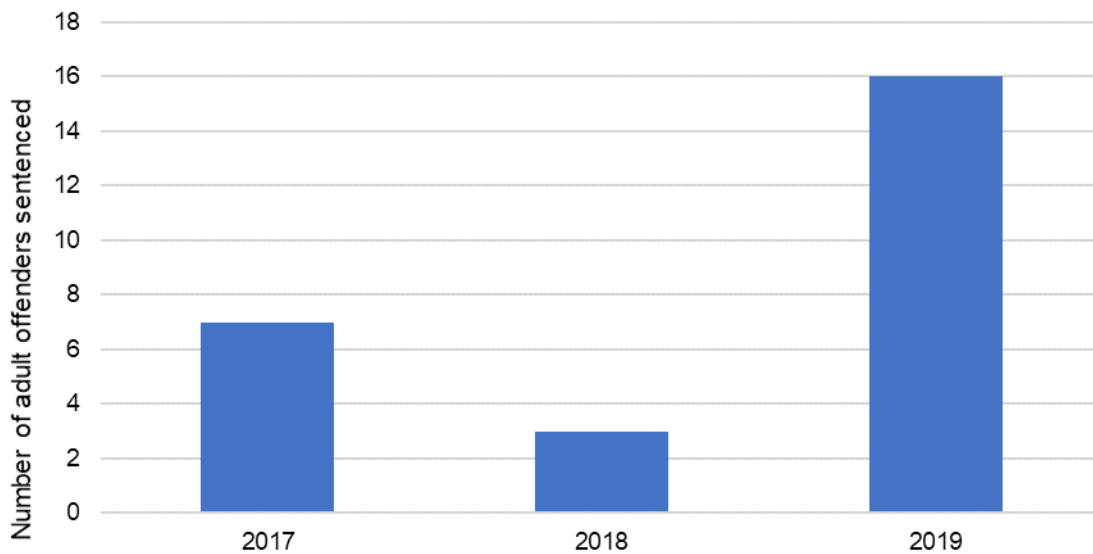
### Sentence volumes

The Modern Slavery Act 2015 offences came into force in July 2015 and the first offenders sentenced for these offences were sentenced in 2017. Therefore, the statistics for Modern Slavery are only provided for calendar year 2017 onwards.

Slavery, servitude and forced or compulsory labour (Section 1 of the Modern Slavery Act 2015) is relatively low volume in terms of the number of adult offenders sentenced each year. Since 2017, 26 offenders have been sentenced in total, 16 of them in 2019 (see figure 1). While it is a triable either way offence, all those sentenced since 2017 have been sentenced in the Crown Court.

We are aware of some data recording issues regarding modern slavery offences wherein a number of cases have been recorded with incorrect offence codes. It has not yet been possible to correct these, which means that the total number of offenders sentenced under sections 1 and 2 of the Act is likely to be higher than the recorded number.

**Figure 1: Number of adult offenders sentenced for the offence of Slavery, servitude and forced or compulsory labour, 2009-2019**



### Sentence outcomes

In 2019 the majority (88 per cent) of adult offenders sentenced under section 1 of the Modern Slavery Act 2015 received immediate custody. All other offenders received a suspended sentence. Immediate custody has always been the most prevalent sentence outcome for Slavery, servitude and forced or compulsory labour offences; in 2017 and 2018, 100 per cent of all adults sentenced were given immediate custody.

The statutory maximum sentence for the offence of Slavery, servitude and forced or compulsory labour is life imprisonment, although since its inception in 2015, no sentences have exceeded a determinate sentence of 11 years imprisonment.

In 2019, the longest custodial sentence length for this offence was 11 years. The average custodial sentence length (ACSL)<sup>3</sup> over the past three years has been 5 years and 4 months. This is in comparison to the predecessor offence<sup>4</sup> under section 71 of the Coroners and Justice Act 2009, for which the ACSL for offenders sentenced between 2011 and 2019<sup>5</sup> was four years and two months and the statutory maximum was 14 years.

## Human trafficking offences

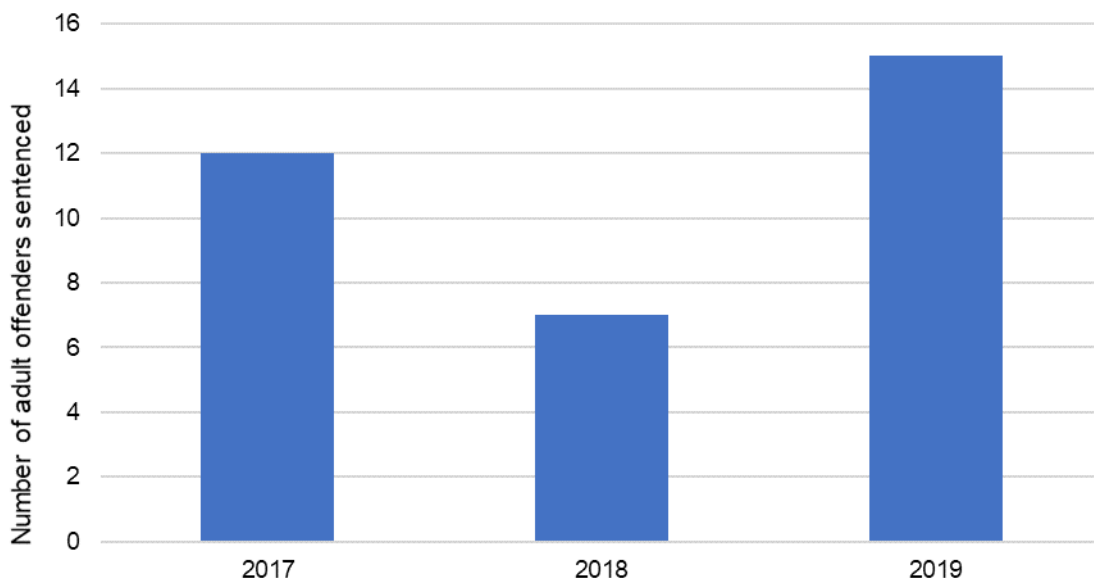
### Sentence volumes

The Modern Slavery Act 2015 offences came into force in July 2015 and, again, the first offenders sentenced for these offences were sentenced in 2017. Therefore, the statistics for Modern Slavery are only provided for calendar year 2017 onwards.

The volumes for adult offenders sentenced under section 2 of the Modern Slavery Act 2015 for the offence of trafficking for the purposes of exploitation are comparable to those for section 1 over the past three years in total (see figure 2). All 34 offenders sentenced for a section 2 offence since 2017 have been sentenced at the Crown Court.

As with section 1 offences, we are aware of some data recording issues meaning that the recorded volume of adult offenders sentenced for a Human trafficking offence under section 2 of the Act is likely to be an underestimate.

**Figure 2: Number of adult offenders sentenced for the offence of Human trafficking, 2017-2019**



<sup>3</sup> The average custodial sentence lengths presented in this report are mean average custodial sentence length values for offenders sentenced to determinate custodial sentences, after any reduction for guilty plea.

<sup>4</sup> Knowingly holding another person in slavery or servitude/Knowingly requiring another person to perform forced or compulsory labour.

<sup>5</sup> Despite the introduction of the Modern Slavery Act 2015, offenders will still be prosecuted and sentenced under the old legislation if the offence was committed prior to the introduction of the new legislation.

## Sentence outcomes

As with section 1, since 2017 the majority of adult offenders sentenced for an offence under section 2 of the Modern Slavery Act 2015 have received immediate custody. In 2017 and 2018, 100 per cent of adult offenders were sentenced to immediate custody. In 2019, 87 per cent of adult offenders received immediate custody and the remaining 13 per cent received a suspended sentence.

The statutory maximum sentence for the offence of Human trafficking is also life imprisonment although, as with section 1, no offenders have yet been sentenced to life imprisonment.

In 2019, the longest custodial sentence length for this section 2 offence was 17 years. The average custodial sentence length (ACSL)<sup>6</sup> over the past three years has been 5 years and 4 months. This compares to ACSLs of four years and two months and five years for the predecessor offences sentenced under the Asylum and Immigration (Treatment of Claimants etc) Act 2004 and the Sexual Offences Act 2003, between 2009 and 2019<sup>7</sup> respectively, which both had a comparatively lower statutory maximum of 14 years.

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<sup>6</sup> The average custodial sentence lengths presented in this report are mean average custodial sentence length values for offenders sentenced to determinate custodial sentences, after any reduction for guilty plea.

<sup>7</sup> Despite the introduction of the Modern Slavery Act 2015, offenders will still be prosecuted and sentenced under the old legislation if the offence was committed prior to the introduction of the new legislation.

## Further information

### Volumes of sentences

The data presented in this bulletin only include cases where the offence detailed was the principal offence committed. When a defendant has been found guilty of two or more offences this is the offence for which the heaviest penalty is imposed. Where the same disposal is imposed for two or more offences, the offence selected is the offence for which the statutory maximum penalty is the most severe. Although the offender will receive a sentence for each of the offences that they are convicted of, it is only the sentence for the principal offence that is presented in this bulletin.

### Sentence outcomes

The outcomes presented are the final sentence outcomes, after taking into account all factors of the case, including whether a guilty plea was made. This is because the sentence length information available in the Court Proceedings Database is the final sentence imposed, after any reduction for guilty plea.

### General conventions

Actual numbers of sentences have been rounded to the nearest 100 when more than 1,000 offenders were sentenced, and to the nearest 10 when fewer than 1,000 offenders were sentenced.

### Data sources and quality

The source of data for this bulletin is the Court Proceedings Database (CPD), which is maintained by the Ministry of Justice (MoJ). Every effort is made by MoJ and the Sentencing Council to ensure that the figures presented in this publication are accurate and complete. However, it is important to note that these data have been extracted from large administrative data systems generated by the courts and police forces. As a consequence, care should be taken to ensure data collection processes and their inevitable limitations are taken into account when those data are used.

Further details of the processes by which MoJ validate the records in the CPD can be found within the guide to their Criminal Justice Statistics publication which can be downloaded via the link:

<https://www.gov.uk/government/collections/criminal-justice-statistics>

### Contact points for further information

We would be very pleased to hear your views on our statistical bulletins. If you have any feedback or comments, please send them to:

<mailto:research@sentencingcouncil.gov.uk>

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Further information on the Sentencing Council and its work can be found at:

<http://www.sentencingcouncil.org.uk/>