

# Labour Exploitation Offences in the UK



Modern Slavery Act 2015

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## ➤ **Section 1 - the offence of slavery, servitude and forced or compulsory labour**

1. The victim (V) is held in slavery or servitude; or forced or compulsory labour
2. V is held in slavery or servitude; or forced or compulsory labour by another person (A)
3. A knows or ought to know that V is held in slavery or servitude; or forced or compulsory labour

## ➤ **Section 2 – the offence of human trafficking**

1. A arranges or facilitates the travel of V
2. A intends to exploit V in any part of the world during or after the travel, or that they know or ought to know that another person is likely to exploit V during or after the travel
3. The travel of V is either arriving in, departing from or travelling within any country

If A is a UK national then an offence is committed regardless of where the arranging or facilitating takes place, or where the travel takes place.

If A is a non-UK national, then the prosecution must prove that some part of the arranging or facilitating took place in the UK, or the travel consists of arrival in or entry into, departure from, or travel within, the UK.

# Civil Orders

The MSA 2015, Pt 2 introduces new civil orders to enable the courts to impose prohibitions on individuals convicted of a slavery or trafficking offence, or those involved in slavery or trafficking but who have not been convicted of a slavery or trafficking offence.

## ❖ **A Slavery and Trafficking Prevention Order (STPO)**

Enables a court to impose an order on a person following a conviction for a slavery or human trafficking offence.

## ❖ **A Slavery and Trafficking Risk Order (STRO)**

There is no requirement for the person to have previously been convicted or cautioned in relation to a criminal offence.

# Operation Cardinas

Between July 2015 and October 2018 three Romanian brothers, working with other gang members, trafficked victims into the UK from Romania in order to exploit them within the construction industry.

## Key Tools:

- Forged documents to work in construction
- Promise of pay
- Identity cards confiscated
- Overcrowded and poor living conditions
- Violence
- Threats to repay debt



# Operation Cardinas



# Investigation

- September 2017 - JIT (Joint Investigation Team) set up between Metropolitan Police's Modern Slavery and Kidnap Unit, the Crown Prosecution Service, the Romanian police and prosecutors, EuroPol and EuroJust
- 16 October 18 – 15 search warrants executed simultaneously
- 33 potential victims of human trafficking
- Supported by: Romanian Embassy in London, Salvation Army and Medaille Trust

# Investigation

"Modern slavery is, and will continue to be, a priority for the Met. We will continue to do everything within our power to identify and apprehend those intent on trafficking human beings, and exploiting them for their own gain.

The key partnerships between the Met, the Romanian authorities, Europol, Eurojust and all of our other partners have been crucial to furthering this investigation into organised people trafficking and exploitation.

We will continue this valuable work with our international and domestic partners to prevent continued exploitation and bring offenders to justice."

# Sentencing and Confiscation

Throughout the three years of offending, the brothers generated more than £1.2 million by keeping their victims' wages for themselves.

A confiscation order is sought and the first POC hearing took place in March 2020. It has been adjourned due to C-19.

The three brothers were sentenced on Friday 21 June 2019:

- Valentin Lupu, 25 – 10 years
- Grigore Lupu, 39 – 10 years
- Alexandru Lupu, 43 – 8 years



They each also received Slavery and Trafficking Prevention Orders (STPOs)