

CJINI Inspection

Modern Slavery and Human Trafficking: An Inspection of how the Criminal Justice System deals with Human Trafficking and Modern Slavery in Northern Ireland

Terms of Reference

Introduction

Criminal Justice Inspection Northern Ireland (CJINI) proposes to undertake an inspection of how the Criminal Justice System (CJS) deals with modern slavery and human trafficking.

The inspection will focus on the three main elements of the CJINI inspection framework as they apply to modern slavery and human trafficking: these are strategy and governance, delivery and outcomes.

The main organisation to be inspected will be the Police Service of Northern Ireland (PSNI) as the core agency involved in the prevention and investigation of modern slavery and human trafficking. However, other parts of the criminal justice system and the DOJ are central to the effective delivery of justice in these areas and the inspection will also incorporate the Public Prosecution Service and the Northern Ireland Courts and Tribunals Service, and the Northern Ireland Prison Service. This will include the overall criminal justice system response to modern slavery and human trafficking including co-operation and partnership working.

Context

Modern slavery is an umbrella term that covers the offences of human trafficking and slavery, servitude and forced or compulsory labour.¹ Its victims are among the most vulnerable people in society and can be hesitant to seek help due to fear of their traffickers.²

Human Trafficking and modern slavery are highly complex and hidden crimes, committed on a global scale, and the nature of the crimes means they are largely hidden, and this makes it difficult to establish an accurate assessment of the prevalence, nature and extent of the problem, internationally and in the Northern Ireland context.³

Trafficking in human beings is a complex transnational phenomenon rooted in vulnerability to poverty, lack of democratic cultures, gender inequality and violence against women, conflict and post-conflict situations, lack of social integration, lack of opportunities and

¹ 2017 UK Annual Report on Modern Slavery.

http://www.octf.gov.uk/OCTF/media/OCTF/documents/publications/Human%20Trafficking/2017_uk_annual_report_on_modern_slavery.pdf?ext=.pdf

² Reducing Modern Slavery. National Audit Office December 2017. <https://www.nao.org.uk/wp-content/uploads/2017/12/Reducing-Modern-Slavery.pdf>

³ Northern Ireland Human Trafficking and Modern Slavery Strategy 2016/2017. Department of Justice. Organised Crime Task Force.

<http://www.octf.gov.uk/OCTF/media/OCTF/documents/publications/Human%20Trafficking/Final-NI-Human-Trafficking-and-Modern-Slavery-Strategy-2016-17.pdf?ext=.pdf>

employment, lack of access to education, child labour and discrimination. Human trafficking is a lucrative form of crime and generates vast profits for the perpetrators each year.⁴

Aims of the Inspection

The aim of the inspection is to examine and assess arrangements for dealing with modern slavery and human trafficking across the criminal justice system in Northern Ireland, but with specific emphasis on the PSNI, with a view to securing improvement.

The objectives of the inspection are to:

- Examine the effectiveness of organisational strategies with regard to modern slavery and human trafficking, including the approach to prevention and enforcement, and the liaison between PSNI and the NCA and others on the National and international aspects.
- Examine the response to modern slavery and human trafficking - how operational delivery is structured to meet the needs and expectations of stakeholders and victims. To determine effectiveness and potential areas for improvement.
- Examine and assess the outcomes of strategies and delivery mechanisms for modern slavery and human trafficking against targets and expectations.
- Examine management information and the performance of the justice agencies in addressing modern slavery and human trafficking.
- Examine how the above aspects of modern slavery and human trafficking arrangements are benchmarked against good practice.

Other matters of significance as they arise during inspection will also be considered.

Methodology

The inspection will be based on the CJI Inspection Framework for each inspection that it conducts. The three main elements of the inspection framework are:

- Strategy and governance
- Delivery, and
- Outcomes.

Constants in each of the three framework elements and throughout each inspection are equality and fairness, together with standards and best practice. CJINI inspection methodology can be found at www.cjini.org

Research and review

Collection and review of relevant documentation such as previous inspection and other reports, the PSNI and other criminal justice agencies (CJA) policies and procedures, management information, data, minutes of meetings and related documentation.

Fieldwork

- Terms of reference will be prepared and shared with the PSNI and the other CJAs prior to the commencement of the inspection. Liaison officers from the CJAs should be nominated for the purposes of this inspection.

⁴ The EU Strategy towards the Eradication of Trafficking in Human Beings 2012-2016.
file:///G:/CRIMINAL%20JUSTICE%20INSPECTION/A.%20THEMATIC%20REVIEWS/Human%20Trafficking%20018/eu_strategy_towards_the_eradication_of_trafficking_in_human_beings_2012-2016_1.pdf

- PSNI as the primary organisation will be given the opportunity to complete a self-assessment of its approach to dealing with modern slavery and human trafficking and any management information deemed relevant.
- Interviews and focus groups will be conducted with the PSNI and other CJA staff, and relevant stakeholders to give an insight into the issues affecting modern slavery and human trafficking.
- Progress in the development of management information and performance management data will be examined.
- Evidence of planning and decision-making leading to performance improvement and recognition of future development will be gathered, and
- Where appropriate benchmarking and identification of best practice within and outside Northern Ireland.

Feedback and writing

Following completion of the fieldwork and analysis of data a draft report will be shared with PSNI and the other CJAs for factual accuracy check. The Chief Inspector will invite the PSNI and the other CJAs to complete an action plan within six weeks to address any recommendations. If the plan has been agreed and is available it will be published as part of the final inspection report. The inspection report will be shared, under embargo, in advance of the publication date with the PSNI and the other CJAs.

Inspection publication and closure

- The final report is scheduled to be completed by late 2018 / early 2019.
- A report will be sent to the Minister of Justice for permission to publish.
- When permission is received the report will be finalised for publication.
- Any CJINI press release will be shared with the PSNI and the other CJAs prior to publication and release, and
- A suitable publication date will be agreed and the report will be issued.