

9 October 2026

FOI Ref 23439

Request - You asked Staffordshire Police (SP) the following:

I am conducting research on modern slavery/trafficking in persons victims' use of the Section 45 defence of the Modern Slavery Act 2015.

Noting that the most recent (2026) Group of Experts on Action against Trafficking in Human Beings (GRETA) report noted at paragraph 244 that 'As of April 2025, police forces in England and Wales are required to use a new Section 45 identifier, which will provide investigators with a standard operating procedure to record when the statutory defence has been raised on a crime record, and should allow to extract data', I would like to have:

For each year for the period 2025 to 2026 (and earlier (from 2015), where data is available):

How many individuals who claim that they are modern slavery/trafficking victims OR are suspected by your force to be victims, have been 1) arrested and 2) charges brought for administrative (immigration) and/or criminal offences that they were allegedly compelled to commit by human traffickers?

1a. How many of these individuals (#1) have explicitly raised the S 45 defence at the point of arrest or charging?

1b. How many have been 1) arrested and 2) charges brought for administrative/immigration-related offences?

1c. How many have been 1) arrested and 2) charges brought for less serious criminal offences?

1d. How many have been 1) arrested and 2) charges brought for serious criminal offences?

1e. What is the proportion of a) men, b) women, and c) children who make up the total number for #1?

1f. What is the proportion of foreign nationals who make up the total number for #1?

2. How many of the total number (#1) who allege that they are victims of trafficking have been referred by your force to the National Referral Mechanism (NRM)?

3. What percentage of the total number of cases (# 1) have had charges dropped by the force in light of the individual's potential (Reasonable Grounds Decision) or confirmed (Conclusive Grounds Decision) victim status?

4. What percentage of the total number of cases (#1) have had charges dropped by the force in response to their raising of the S 45 defence?

5. In what percentage or number of the total number of cases (#1) did the force proceed with recommending prosecution for the victims' alleged commission of offence/s?

5a. Of this percentage or number (#5) what are the main offences for which the police have decided to pursue prosecution?

5b. Of this percentage or number (#5), how many individuals have been adult foreign females?

6. If these questions cannot be answered, please provide a narrative summary of the force's engagement with potential modern slavery/trafficking in persons victims who are alleged to have committed administrative and/or criminal offences and who have raised the S 45 defence. Or an explanation of why data cannot be shared.

SP received your request on 28/09/2026 and have processed this under the Freedom of Information Act (FOIA).

SP's response to your enquiry is as follows:

In accordance with Section 17(1) of the Freedom of Information Act, this letter represents a refusal notice for this request.

The following exemption has been applied:

- Section 12(1) where the cost of compliance exceeds the appropriate limit.
- Section 12(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the prescribed limit'.

The above information has been withheld for the following reasons:

There is no method by which SP can readily retrieve information from local police systems to answer this request. In the last 12 months alone, there have been in excess of 92,800 offences. There is no readily retrievable way to identify crimes where modern slavery has taken place as this could fall under multiple offences. To ascertain whether the offence involved modern slavery and then to answer all additional questions being asked, the record for each offence would require a manual review. To extract this data would therefore require a very labour-intensive manual trawl through each record.

From dip sampling, it has been estimated that it would take approximately 5 minutes to review each record in 12 months alone, this would equate to over 7,733 hours. To achieve this task would therefore exceed the 18-hour time and cost threshold of the Freedom of Information Act by a considerable margin.

Advice and assistance

Section 16 of the Act places an obligation upon the Authority to provide advice and assistance, to comply with this obligation please see below.

Unfortunately, SP cannot suggest a way in which your request could be simplified or pared down to bring it within the confines of the time and cost threshold.

All Freedom of Information request responses are published on the SP website although personal details are not included.

Freedom of Information Request Appeals Procedure

1. Who Can Ask for a Review

Any person who has requested information from SP, which has been dealt with under the Freedom of Information Act, is entitled to complain and request an internal review, if they are dissatisfied with the response they received.

2. How to Request a Review

Requests for review of a Freedom of Information request must be made in writing within two months of the date of receipt of this email, and should be addressed to:

IAT@staffordshire.police.uk

The reference number, date of the request and details of why the review is being requested must be included. Requests for review should be brought to the attention of the Information Access Team within two months of the Force's response to the original FOI request.

3. Review Procedure

Receipt of a request for review will be acknowledged in writing. The review will be conducted by a supervisor who is independent from the original Decision Maker. The Information Access Team will set a target date for a response. The response will be made as soon as is practicable with the intention to complete the review within 20 working days. In more complex cases the review may take up to 40 working days.

The independent Supervisor will conduct a review of the handling of the request for information and of decisions taken, including decisions taken about where the public interest lies in respect of exempt information where applicable. The review enables a re-evaluation of the case, considering the matters raised by the complaint.

4. Conclusion of the Appeal

On completion of the review the Independent Supervisor will reply to the appellant with the result of the review. If the appellant is still dissatisfied following the review they should contact the Information Commissioner to make an appeal. The Information Commissioner can be contacted via the following link: <https://ico.org.uk/make-a-complaint/foi-and-eir-complaints/foi-and-eir-complaints/>

Freedom of Information
Information Access Team