

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 26 February 2025

Public Authority: Ministry of Justice

Address: 102 Petty France
London
SW1H 9AJ

1. Request:

The complainant requested the following information from the Ministry of Justice on 5 January 2025:

"Firstly, thank you for your work publishing data on court-ordered compensation, including for crimes prosecuted under 'modern slavery' offences amongst other crimes.

Please provide the following clarification:

- 1) In public data releases, the Ministry of Justice (MOJ) has referenced figures on modern slavery convictions and prosecutions which are not inclusive of offences under the Modern Slavery Act (MSA). Please share the methodology used to dictate whether a prosecution is 'modern slavery (MS)-flagged', including:
 - Whether the MS flag is applied before, during and/or after court proceedings,
 - Which agencies or departments are responsible for applying a MS flag (i.e. police, courts, Sentencing Council, etc)
 - Whether MS flags can be applied to prosecutions/convictions under any crime type, and what components of a case are used to decide that a case tried under a lesser offence qualifies for a MS flag.

Please provide the following data, broken down by year:

- 2) Please provide the number of convictions between 2022-2024 which contained MS flags, along with the offences or crime types they were tried under
- 3) How many MS-flagged cases resulted in court-ordered compensation between 2022-2024?
- 4) How many Slavery and Trafficking Reparation Orders (STROs) were issued between 2022-2024?"

2. Commissioner's Decision:

A public authority will breach section 10 of FOIA if it fails to respond to a request within 20 working days. Based on evidence available to the Commissioner, by the date of this notice the public authority has not issued a substantive response to this request. Therefore the Commissioner finds a breach of section 10.

3. Steps:

The public authority must provide a substantive response to the request in accordance with its obligations under FOIA.

The public authority must take this step within 30 calendar days of the date of this decision notice. Failure to comply may result in the Commissioner making written certification of this fact to the High Court pursuant to section 54 of FOIA and may be dealt with as a contempt of court.

4. Right of Appeal:

Either party has the right to appeal against this decision notice to the First-tier Tribunal (Information Rights). Information about the appeals process may be obtained from:

First-tier Tribunal (Information Rights)
GRC & GRP Tribunals,
PO Box 9300,
LEICESTER,
LE1 8DJ

Tel: 0203 936 8963

Fax: 0870 739 5836

Email: grc@justice.gov.uk

Website: www.justice.gov.uk/tribunals/general-regulatory-chamber

Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

**Information Commissioner
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF**