



Freedom of Information Act Request

Ref: FOI 21-22 33

Date issued: 4 March 2022

Subject: Charges related to Peter Swailes

Question(s):

I have read a news article about a vulnerable man 'Chris' abused for decades on a Carlisle caravan site. Why was Peter Swailes not charged with false imprisonment and deprivation of liberty? Not paying the minimum wage is the weakest of charges in these circumstances.

Please advise

1. Did the GLAA intend to press for more charges (and which charges) against Swailes and was it the Crown Prosecution Service who stopped you?
2. Are there any plans to appeal the unduly lenient sentence?

Response:

Following a complex investigation by GLAA Officers in partnership with the National Crime Agency and Cumbria Police into the exploitation of a male victim in Carlisle, the GLAA made a referral to the Crown Prosecution Service for consideration of offences under the Modern Slavery Act 2015. It is worth noting that the GLAA cannot make charging decisions about criminal cases. Our role is to refer a criminal case to the Crown Prosecution Service and to present any evidence we have.

In response to this FOI, the CPS have told us that "As part of reviewing the case I [the CPS] considered all other potential offences. The offence of false imprisonment was considered but the evidential requirements for that offence were not made out, and therefore applying the Code for Crown Prosecutors could not be charged. The offence charged was conspiring to arrange or facilitate the travel of another with a view to exploitation. This relates to criminality that fell within the Modern Slavery Act 2015. The prosecution was not simply based on the failure to pay the minimum wage."

Mr Swailes's father, also Peter Swailes, was due to stand trial but died in 2021, aged 81.

The case had been referred to the Attorney General's Office for consideration as an unduly lenient sentence.