

## **OPERATION GOLF**

by Bernie Gravett, Former Superintendent & Coordinator of the International Operations Europa and Golf

### **A UK AND ROMANIA JOINT INVESTIGATION TACKLING ROMANIAN ORGANISED CRIME AND CHILD TRAFFICKING**

Operation Golf was a Joint Investigation between the MPS and the Romanian National Police targeting a specific Romanian Roma organised crime group that are trafficking and exploiting children from the Romanian Roma community. This community is one of the poorest and most disadvantaged communities in Europe.

This OCN has increased its activity since accession and are now trafficking entire families for forced criminality and benefit crime.

The MPS operation was commissioned by Commander Steve Allen following a 786% increase in Romanian sanction detections in the first 3 months of 2007 across the MPS.

#### **Background**

In the summer of 2004 Chief Inspector Bernie Gravett and Inspector Colin Carswell both officers from Westminster Police in central London, identified that Romanian Roma groups in central London were committing a considerable volume of low level crime. The offences were being committed by children and young persons and included begging, shoplifting, distraction theft, deception, fraud, credit card cloning and robbery. Children as young as 6 years old were stealing handbags and mobile phones from coffee shop customers.

Intelligence checks revealed that the families of the children were illegally in the UK at this time having been smuggled into the country in cars and lorries by the OCN.

This led to an operation conducted in cooperation with the UK Immigration Service and the removal from the UK of 407 individuals concerned in these crimes. This operation was named 'Golf' and was conducted from October 2004 to July 2006.

As a result, theft offences in Westminster were reduced by 29% and pick pocketing was reduced by 24%.

All recorded crime in Westminster dropped by 2%.

**CASE STUDY: Girl A**      DOB: 01/01/1986 - now 24 years old

Girl A is one of 1087 children taken from Romania pre accession. She was driven out of Romania by the gang along with 5 other children. Her journey took her into Hungary and across Europe. She first came to notice in the UK in 2002 when she was 16 years old. She was arrested for theft within Westminster Borough. She received a juvenile reprimand for this offence. Since then she has acquired a total of 17 convictions and 3

cautions, with offences of shoplifting, distraction thefts and failing to answer court bail. She was arrested a further 6 times, but the offences were not proceeded with. She has served a prison sentence in Holloway women's prison.

She has total of 8 alias names and 9 dates of birth. There are 43 intelligence reports on her in London. She has been arrested predominately in Westminster but also Enfield, Camden, Hammersmith and Kensington. She is also known to commit offences in Surrey, City of London and within the area covered by BTP.

In 2006 she was moved by the gang to Spain but returned to the UK in 2007 following accession of Romania into the EU.

She has numerous associates all of whom have convictions on PNC and are well known to Police within the Metropolitan Police District. She continues to live in poverty gaining no benefit from her criminality.

A significant amount of learning and intelligence was gained through this operation and it was identified that Romanian Roma Organised Crime Networks were behind these crimes and that they were using children as tools to commit the offences. An outcome of this was that CI Gravett was seconded to the Foreign and Commonwealth Office and travelled to Romania to assist the Romanian National Police in capacity building in preparation for entry into the European Union. At the same time Inspector Carswell joined SCD6 International Crime Coordination Unit with specific responsibility for Romania and other Balkan states and the related threats posed to London.

### **The first indication of trafficking**

During this period the officers became aware of Operation 'Girder'. This was an operation executed by the Serious Organised Crime Agency (SOCA) where it had been identified that a Romanian OCN had trafficked 21 children into the UK for the purposes of committing volume crime. This operation led to 8 adults convicted for illegal facilitation of children into the UK.

Only 3 of these children were identified and recovered.

The gangs used a Czech Roma woman, Ana to bring the children to the UK. At this time Czech passports only listed the children of the family but there were no photos. Immigration intelligence identified that Ana was making trips into the UK with children but leaving alone. She was stopped entering the UK with three children passing them off as her own. When questioned it was identified that the children were Romanian Roma from Tandarei, Romania and were Roma.

Ana is a Czech national with 8 natural children of her own. The link was that she is Roma. She was paid £1,000 per trip. At this time the gang charged the Roma families £1,000 per child for them to be trafficked. The children were taken to Italy and Spain by the gang and from there flown with Ana into Stanstead & Luton airports. The children were then passed back to the gang and distributed across the UK.

Ana, who was pregnant with her ninth child at the time of her arrest, had come to police attention two months earlier after flying into Luton from Barcelona with two children. Further investigations revealed a pattern of frequent travel between British airports and destinations in Spain and Italy.

She pleaded guilty at Chelmsford Crown Court in 2006 to six charges of facilitating the unlawful entry of children into Britain and was jailed for three years.

The gang's leader for this part of their operations was identified as Remus. While Remus was based in the north west of England there were links to addresses in north east London. He was sentenced to 8 years imprisonment for running the trafficking ring. However, this was the tip of the iceberg.

Operation Girder led the Romanian National Police (RNP) to open an investigation into the Romanian OCN involved. This identified that the OCN had trafficked 1087 identified children out of Romania. The evidence is that the majority of these children have been or are being exploited by being made to beg and commit theft in a number of European countries. The OCN and children all originate from the single town of Tandarei in South East Romania. Both the victims and the OCN are from within the Romanian Roma community.

The RNP investigation have identified the trafficking routes and method used and that the OCN are operating across Europe primarily in UK, Italy, Spain and France. However, their challenge was that the exploitation takes place outside Romania and what they see are the gangs getting richer on the proceeds. The most visible aspects are the building of large houses, the purchase of expensive vehicles and the possession of large amounts of disposable cash.

In January 2007 Romania joined the EU. Within 3 months crime in London committed by Romanian nationals went up 786%<sup>1</sup>. Analysis showed the offences to be predominantly theft committed by children from within the Romanian Roma community. The Borough of Westminster was particularly affected by this rise in crime. This growth was caused by the gangs moving people into the UK from Spain and Italy, now much easier as the border checks were removed.

In April 2007 Commander Steve Allen, BOCU Commander for Westminster commissioned a small team, led by Superintendent Gravett and Chief Inspector Carswell to examine the causes behind the rise in crime and the links to Organised Crime. This was again given the name 'Operation Golf' as it was already known that this was the same OCN.

Research on criminal records showed that 200 of the 1087 victims identified by the RNP were criminally active in London in the summer of 2007 and also, they had convictions in 32 other Police Force areas.

The OCNs concerned are involved in the large-scale trafficking of children and adults who are forced into criminality to pay off debts bearing extortionate interest rates. OCNs abuse cultural rules whereby if a person defaults on a debt they become the slave of the debtor, as does the belongings and property. This includes the family of the defaulter.

To test the finding of the research the UK team set up Operation Caddy. This focussed on the town of Slough to the west of London. Each day up to 50 Romanian Roma would travel by train to central London. From here they would split up and move across London committing crime focussing their activity on crowded places.

On the 28<sup>th</sup> January the team executed search warrants at 16 addresses in Slough. This resulted in the arrest of 34 people for a variety of crimes with over 200 items of stolen property recovered.

The most important aspect was that within the 16-small terraced 3-bedroom houses police found 211 people the majority of which were children. 10 children were recovered when it was found that their parents were not present.

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<sup>1</sup> PIB Nationality Index reports 2007  
Reviewed June 2017 ©Bernie Gravett

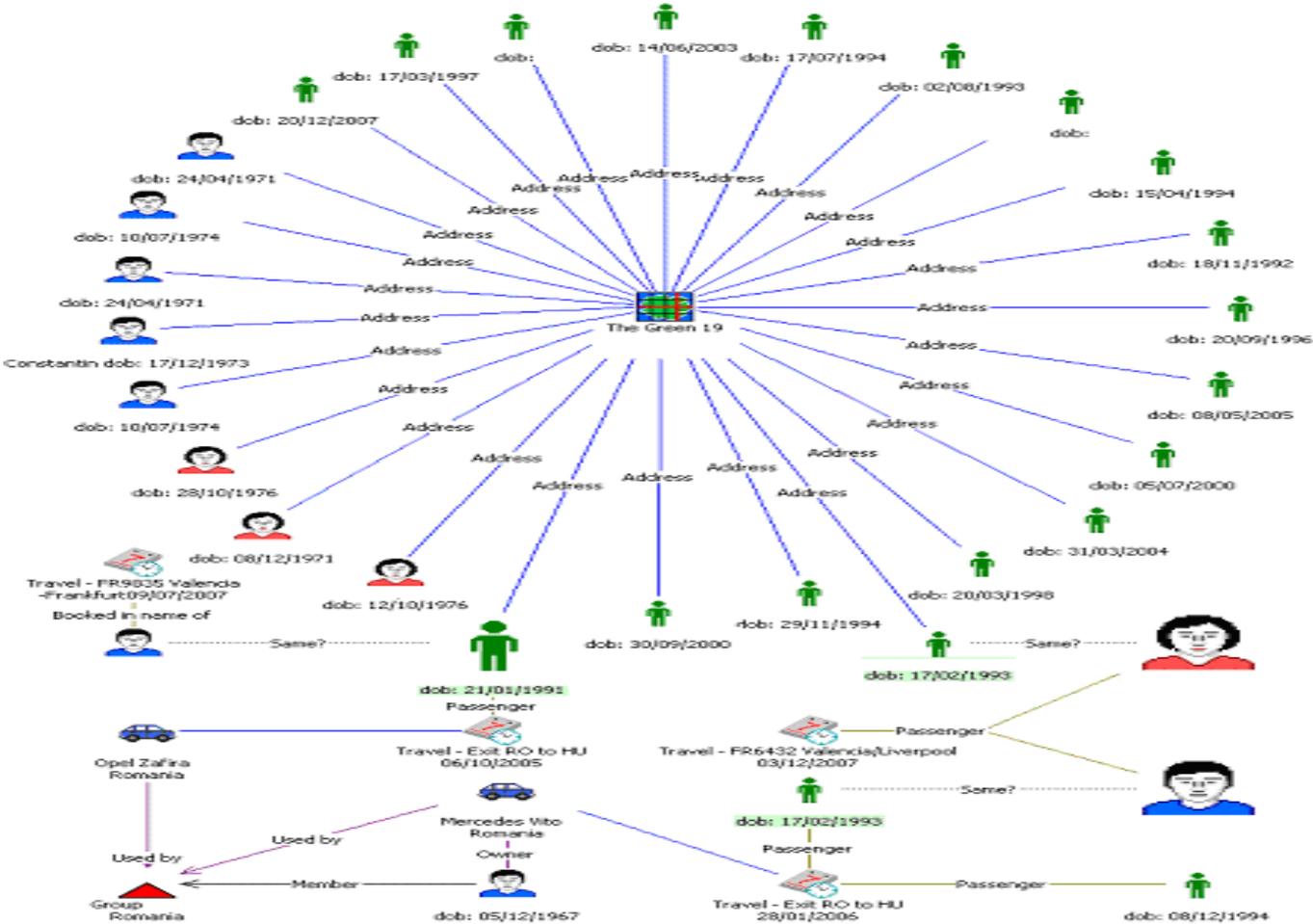
Some houses were occupied by 3 families with children sleeping on the floor on sheets and in one case a child had her bed in the bath. Each house was in squalor with little or no food present. The operation was conducted with the support of local social services. We were shocked to discover 60 children under the age of 10 that local social services had no knowledge of. Only 3 children were attending school, and these were the sons of the gang leader in the town. No girls were in education.

The arrests were for:

- Trafficking children into the UK
- Trafficking children around the UK
- Child neglect
- Theft
- Handling stolen goods
- Money laundering
- Benefit fraud
- Being wanted for failing to appear at court

In addition, there were substantial cash seizures and a large amount of documentation found.

Below is an example of one house with three families but also 3 unaccompanied minors.



### **Operation Caddy analysis**

16 addresses                    211 people encountered  
103 adults                    60% with criminal records  
33 Juveniles                    78% criminal records  
74 minors (u10)                47% on MPS intelligence for committing crime in London  
Prevalence in under age pregnancy some as young as 13 yrs old  
Only 3 children in education  
60 minors not known to Slough Borough Council  
54% reduction in pick pocket offences in Westminster for the following 6 months

The 10 children were treated as potential victims of trafficking were placed into emergency police protection and were passed into the care of social services.

The days following the operation saw the parents of these children arriving from Romania and Spain with a variety of accounts as to how their children were left with families that exploit children. 9 of the children were returned to their parents with care procedures placed around them.

### **One child spoke out!**

Maria was a 13-year-old girl from Tandarei. Both her and her sister were taken from Romania to the UK by the gang. Maria was placed with a family in Slough and exploited. Her sister has yet to be found and it is assumed that she is also being exploited but has been given an alias to prevent discovery and recovery.

Maria initially gave a true account of her treatment and abuse. However, following the arrest of her father for trafficking her and telephone contact with her mother back in Romania, she retracted her story. This could have potentially had a serious impact at the trial but the diligent recording and gathering of evidence allowed police to 'prove' her first account. This led to the first convictions in the UK for the trafficking of a child for forced criminal exploitation.

### **Maria's story**

Her father paid 200 Euro to the OCN to have her trafficked to the UK  
She was flown to Stanstead by Vasile with the flights paid for on a corrupted USA credit card  
Placed with an OCN family in Slough and controlled and exploited by Claudia & Marin.  
She was told to call them Uncle and Auntie  
She became the house slave in domestic servitude & forced labour  
She was driven to Surrey each day and left for 12 hours to beg, sell the 'Big Issue' illegally and steal.  
She kept nothing, was beaten and searched at the end of her day.  
Her father cloned Maria's identity to exploit children in Valencia, Spain  
4 people were convicted for her trafficking into and around the UK for forced exploitation  
They were sentenced to a total of 24 years imprisonment for trafficking, child neglect and perjury.  
The urgent need for a JIT with Romania was recognised

This investigation highlighted the complicity of parents in the trafficking of their own children. While debt slavery is one aspect of how the gang controls the families, greed also plays a part.

In addition to the criminal prosecution there was a parallel care case running concerning Maria's welfare. This was taken to the High Court with the outcome being that UK courts have to rely on Brussels' II decision that a child must be returned to their country of origin for the authorities to manage her welfare there. Subsequently Maria was repatriated to Romania and she passed into the care of Romanian Social Services. She was later reunited with her mother. While she has not been re-trafficked, she has now been sold into marriage and is pregnant at age 14.

#### **Brussels II - Jurisdiction in relation to parental responsibility**

Article 66 applies in children's cases. This is the article that relates to member states where there are two or more systems of law. Any reference to habitual residence in the member state "shall refer to habitual residence in a territorial unit". This implies that jurisdiction lies with the courts of the territorial unit in which the child is habitually resident. Such an interpretation would be consistent with the provisions relating to divorce. On this view, Brussels II governs the distribution of cases within the United Kingdom, as well as distribution between EU member states.

As a victim of trafficking who had only been in the UK for a few months the court decided that Maria was 'habitually resident' in Romania and that Romania had jurisdiction in matters of her welfare. This applied despite police presenting a case that she would be at risk of retribution, harm and further exploitation.

The court's decision was that it had to abide by Brussels II and Maria's safety and welfare was a matter for Romania.

This operation is unprecedented in identifying the sustained demands made on the Police and partner agencies who regularly encounter the victims through arrests and street engagement across the MPS. The operation has been extremely successful and is active in thwarting the OCNs, however we are seeking support to enable us to continue with the long-term investigative commitment that will be required to bring the accused to trial and dismantle the OCN both here and in Romania.

*It is a sad fact that children are bought and sold around the world, trafficked into and around the UK for the profit of others. It is a complex but hidden crime that is largely unseen by broader society and unrecognised by frontline police and social services.*

#### **1<sup>st</sup> September 2008 The formation of the JIT**

The reason for forming a JIT is due to the international nature of the OCN and the fact that the crime and exploitation is occurring in the UK, but the profits are realised in Romania. This is the first EU JIT tackling human trafficking. In addition, we are the first UK police force to set up and conduct a JIT with another EU state<sup>2</sup>.

The JIT is currently 70% funded by a grant successfully obtained from the European Commission. The MPS Territorial Policing Command covers the remaining salary costs of the MPS staff on the team.

#### **What is a JIT?**

<sup>2</sup> The only other case of a UK JIT was between the NCIS and the Dutch police in 2006 it lasted only 3 months and targeted drug trafficking.

Article 13 of the European Convention on Mutual Legal Assistance in Criminal Matters of 29 May 2000 and/or of the Council Framework Decision of 13 June 2002 on Joint Investigation Teams (JITs) provides the legal basis of the arrangements for the conduct of JITs in EU member states.

The EU acknowledges that member states have different legal systems however it is possible to set up a JITs across the EU in accordance with the Framework Decision. The UK is a common law jurisdiction, with a permissive legal system, i.e., anything can be done unless it is specifically prohibited or regulated to be done in a certain way. The government did not think it was necessary to introduce new legislation in order to substantially implement the Framework Decision, although minor legislative amendments were needed to implement a few parts of it (see paragraph below). So, investigators and prosecutors can enter into a JIT, relying on the Framework Decision and/or the 2000 MLA Convention.

The UK introduced provisions concerning JITS are: sections 103 and 104 of the Police Reform Act 2002, which relate to obligations in Article 2 and 3 of the Framework Decision, dealing with civil and criminal liabilities concerning members of JITs; and section 16 of the Crime (International Cooperation) Act 2003, which implemented Article 1(7) of the Framework Decision.

The UK ratification was notified on 22.09.2005. It entered into force on 21.12.2005. The 2000 MLA Convention has not been directly incorporated into the law of the UK. Joint investigation teams, led by police officers and operating in the United Kingdom, must comply with the provisions on liabilities in Sections 103 and 104 of the *Police Reform Act 2002* and would be able to take advantage of the provisions involving dispensation with letters of request in Sections 16, 18 and 27 of the *Crime (International Co-operation) Act 2003*. Home Office Circulars 53/2002 and 26/2004 draw attention to a range of operational matters, such as the need under the Framework Decision to ensure that the team leader is provided by the competent authorities of the Member State in which the team is operating. In practice these arrangements ensure compliance with Article 1.

The further Home Office Circular 26/2004 issued on 26 April 2004 draws attention to the new legislation in Sections 16, 18 and 27 of the *Crime (International Co-operation) Act 2003*, which implements Article 1, paragraph 7 of the Framework Decision. This legislation enables police officers and customs officers who are members of a joint investigation team to apply for a search warrant and/or a production order in relation to criminal conduct abroad without a letter of request (Commission Rogatoire). The legislation for Scotland (Section 18) is similar, but not identical, to the legislation for England and Wales.

The authorities which can authorize a JIT are the investigation agencies (e.g. the Serious & Organized Crime Agency, the police and customs) and prosecution authorities (e.g. the Crown Prosecution Service, Revenue & Customs Prosecution Office and the Serious Fraud Office). It is anticipated that in most instances a decision will be made jointly by the investigation agency and the prosecution agency. HOC 53/2002 states that JITs may be established under the FD by the competent authorities in England and Wales, Scotland and Northern Ireland.

Operation Golf is a Joint Investigation Team (JIT) between the MPS and the Romanian National Police. The full JIT partnership is Operation Golf (MPS), Romanian National Police, D.I.I.C.O.T. (Romanian Prosecutors Office), the United Kingdom Human Trafficking Centre (UKHTC), Crown prosecution Service, Eurojust and Eurojust.

The Strategic objectives of the JIT are to successfully:

- Investigate & prosecute OCN members both in the UK and Romania

- Disrupt their activities
- Identify, restrain and confiscate criminal assets
- Reduce criminality
- Minimise the exploitation of victims
- Improve victim identification and response to child trafficking by police and partners

### **Arrests & prosecutions**

The following is a précis of information relating to all arrests of individuals of interest to Operation Golf, both known members of the Organised criminal Network or their associates.

Since the inception of the JIT there have been a total of **87** persons arrested linked to the OCN. This includes the first ever convictions in the UK for trafficking a child into the UK and only the second convictions for internal trafficking within the UK.

A summary of arrest & prosecution activity is as follows:

Two (2) subjects are currently on remand awaiting trial for the Trafficking & exploitation of 6 children, Child Neglect, Money Laundering and Benefit Fraud

Other arrests & prosecutions have been for:

- [Human Trafficking Sec 4\(1\) Immigration Act \(Into UK\)](#)
- [Human Trafficking Sec 4\(2\) Immigration Act \(Within the UK\)](#)
- Money laundering
- Obtaining Benefit by Deception Sec 106 Immigration Act
- Forgery & Theft Act offences

Twenty (20) subjects currently on bail for offences within the following categories:

- Conspiracy to defraud
- Money Laundering
- Possession of false documents
- Section 4 (1) Immigration and Asylum Act 2004
- Obtaining Benefit by Deception Sec 106 Immigration Act

In addition, the team Operation Golf has to date been accredited with 3 Organised Criminal Network (OCN) disruptions.

### **Support to Romanian Investigation**

As stated above the Op Golf investigation is a joint one with the Romanian National Police. This is due to the M.O. of the gang where the children and families are exploited in the UK and the OCN hierarchy remains in Romania realising all the proceeds of the gang's activity.

The UK Op Golf team has supplied the Romanian Team with a full and extensive evidential package to prove the exploitation of the children and families in the UK. This has included, in an evidential format, the following:

- Full list of criminal convictions and circumstances for the 168 children identified as being active in the UK
- Full details, including statements, of all contact by Police with the 168 children and families (stops, verbal warnings, intelligence reports, etc)
- Evidential product and statements surrounding money transfers via MSB's UK-Romania for the principle suspects.
- Evidenced details of all appropriate adults appearing for the children who have been arrested for crime in London.

This substantial piece of work has now directly resulted in the Romanian authorities preparing to arrest and charge Romanian nationals, all part of the gang, with trafficking children to the UK.

#### **Operation Longship a test of the JIT framework**

A significant problem for Romania is that the exploited children are in other jurisdictions. Because of the JIT we were able to deal with this issue by flying the Romanian investigation team to the UK for Operation Longship. The UK team identified and recovered 27 children and provided them to the Romanian team for a 'Witness Hearing' under Romanian law on UK soil. A challenge for the team was that in Romania child witness must be represented by a Romanian lawyer. To deal with this the Romanian party included 4 independent Romanian lawyers to oversee the process and ensure the children's rights were upheld. This was the first such action of its kind in JIT history.

#### **Operation EUROPA arrest phase**

The first phase of the Romanian arrest operation took place on the 8<sup>th</sup> April 2010. This involved the execution of search warrants at 34 addresses in Tandarei and the arrest of 18 persons for trafficking and money laundering.

The Romanian operation was supported by 26 members of the Metropolitan Police whose roles included command, intelligence and 11 investigation teams to accompany RNP officers on the searches. Under the JIT agreement the Metropolitan Officers were able to use their UK powers on Romanian soil. They were allowed to search for evidence and question suspects as part of the UK investigation.

This was the first time this had occurred in EU history and was a significant step in extending powers to combat international organised crime.

In addition to the arrests the Romanian authorities seized 4 AK47 rifles, 12 hunting rifles, 12 shotguns including military grade weapons and 6 semi-automatic handguns. Other seized items included 25,000 Euros, £25,000 and 40,000 Romanian Lei, 13 high value cars, 6 houses and a substantial amount of evidence linking the gang to the UK and other EU countries. One remarkable find was 10.5 kilos of gold which is worth approximately €500,000. The proceeds of crime in the UK are often converted into cash and then into gold for couriers to take back to Romania. Gold is easy to conceal, and the story given is often that it was old family jewellery melted down. This is hard to challenge by the authorities.

The Romanian authorities have charged 26 gang members with the following crimes<sup>3</sup>:

- Trafficking 181 children to the UK for forced criminality
- Money laundering
- Being members of an organised criminal network
- Firearms offences.

The UK team set to the task of identifying, tracing recovering and protecting 274 victims of child trafficking by this gang. All will be recovered in a multi-agency operation with police specialists, local authority children's safeguarding experts and NGOs. At the time of the report 81 had been recovered and supported.

### **Strategic achievements**

- Primary in the setup of the Home Office inter agency working party on trafficking of children
- Advising the 'London Child Safety Board' and writing contributions to their 'Toolkit for identifying trafficked children'.
- Achieving the first UK conviction of THB of a child
- Achieving the second conviction of an offence in the UK of 'internal trafficking'
- Providing written evidence to Lady Butler-Sloss (member of the 'All Parliamentary Committee on THB') that has been passed to the Attorney General (unedited) raising the issue of lack of sentencing guidelines to Judges in THB cases not linked to sexual exploitation
- Advising UKHTC and SOCA (Knowledge) on Roma organised crime
- Advising NPIA and contributing to the revised ACPO 'Child Abuse Manual' and revised 'Guidance for International Investigations'
- Operation Golf currently has a seat on the ACPO Child Trafficking Working Party
- Superintendent Gravett & Chief Inspector Carswell acknowledged by SOCA, Europol and EU as the only UK Police JIT experts and have been involved in training SOCA, Europol and UNODC staff.

Operation Golf concluded on the 31<sup>st</sup> December 2010 however officers of the Metropolitan Police Financial Investigation Unit continue to identify and seize criminal assets from the Tandarei gangs. In 2013 they sent 24 International Letters of Request to the Romanian authorities to trace and seize criminal assets from the Tandarei gang.

The OCG were disrupted to a significant degree. However, the problem has not gone away. There are always more gangs who are willing to exploit the vulnerable both adults and children from Europe's poorest communities. The Tandarei gangs were active in every European country and beyond. They targeted crowded places, tourists, the vulnerable and elderly and women.

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<sup>3</sup> They still await trial in 2016.

In 2011 having been appraised of the case at the European Parliament, the European Commission issued a new directive 36/2011 which acknowledged that the use of victims for the commission of low level crimes such as begging, theft, pick pocketing and other crimes are a form of labour exploitation. This opened up the definition under the Palermo Protocol of human trafficking and brought it in line with modern forms of exploitation and into the modern context.

I retired in April 2011 after 31 years as a dedicated police officer. I continue to work for international organisations to train law enforcement, border guards and NGOs in combatting human trafficking. This is a crime that generates millions and affects thousands of lives.

Police need to be proactive, seeking out the suspects and organisations and networks. They cannot rely on victims coming forward and presenting themselves and their stories to the police.

We know where the crimes emanate from, we know where and how the victims are exploited. We just need the will to go and find them.