



JUDICIARY OF
ENGLAND AND WALES

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-v-

James John Connors and Josie Connors

Sentencing Remarks of HHJ Michael Kay QC

12 July 2012

Luton Crown Court

In 1834 slavery was officially abolished in the British Empire pursuant to the Slavery Abolition Act. It did not of course mean that overnight slavery, servitude or the incidence of forced labour came to an end. However the passing of that statute was an important milestone in the advancement of basic human rights. It recognised the right of each human being to live a life of dignity free from the worst forms of oppression and exploitation. Thus what was commonplace until the 19th century in countries which presumed they were civilised was rendered illegal. The unqualified right not to be made subject to slavery, servitude or forced labour is now enshrined in Article 4 of the European Convention on Human Rights. There was however no statute in the UK after 1998 which specifically rendered the violation of that right illegal. There was some debate in 2009 as to whether one was required having regard to the ambit of other criminal charges which prosecuting authorities had at their disposal. The view that prevailed in Parliament, which in the light of this case was amply justified, was that it was necessary to enact specific offences and so with effect from 6 April 2010 the holding of a person in servitude or requiring a person to perform forced labour was rendered illegal by section 71 of the Coroners and Justice Act 2009. So it is that nearly 200 years after slavery was officially abolished, four defendants have stood trial over a period of three months and been convicted of holding their fellow human beings in servitude and exacting from them forced labour. I shall sentence two of those Defendants today, James John Connors and Josie Connors.

In the course of evidence the court heard that it had long been the practice of Irish travelling families to offer food and accommodation in return for labour to vagrants or, as they were described, 'men of the road' who approached them to strike such a bargain. Whatever may have been the position in the past, it is clear to me that James John Connors realised that there was a source of cheap labour available in our towns and cities. The homeless, addicted and isolated men who sleep rough and beg on the streets were potential workers who could be exploited for financial gain. These men were offered the prospect of money, food and accommodation in return for work. The promise of pay in return for work was a monstrous and callous deceit. Those vulnerable individuals who were approached were told that they would receive a daily wage for their labour which would be paid in cash. The

reality was that they were not paid and there was never any intention that they would be paid any significant sum and certainly not a regular daily wage. The offer of pay was made so as to entice the men to enter the travellers' site at which point more insidious methods of control and manipulation could be utilised to keep them in servitude and exact forced labour.

Primarily the methods used by you James John Connors were brutality and intimidation. Assaults by way of punches, kicks, slaps or beatings with a weapon were committed to mark disapproval of insubordination or what was deemed to be an unacceptable standard or speed of work or to emphasise the hierarchy of control whether out of bad temper or calculated degradation. Alongside the use of violence there was a constant threat of an assault if a worker did not act in the way demanded of him and of retribution if a worker left the family. Threats were made of grave and even life threatening consequences if a worker sought to leave.

As well as using physical means to keep workers in servitude, the defendants also acted towards them so as to apply and maintain psychological pressure. In order to increase their sense of isolation, to strip them of their identity and degrade them, a number of measures were employed. There was verbal abuse on a regular basis. They were sworn at and called names which demeaned them. There were not permitted to have any money. Identity or private documents were removed and destroyed. They were housed in accommodation which was markedly inferior to that enjoyed by the defendants and at times was unsuitable for human habitation. Whilst workers lived in squalor in cramped and insanitary conditions, the Defendants enjoyed the comforts of their lavishly appointed caravans or static homes. Clothes were confiscated and thrown away. In some cases, contrary to their preference, their heads were shaved. They were required to work very long hours from 5am in the morning until late at night either on driveways or groundwork or on cleaning or domestic duties at the travellers' site. They were constantly at the beck and call of their bosses at any time of the day or night to carry out even the most trivial acts of service. They were ordered not to leave the site and not to talk to anyone. They were instructed that everything they needed was on site. If stopped by the police or trading standards officers, they were ordered to say that they were happy, were being paid and did not want to leave. By way of manipulation so as to increase their dependency, they were required to address members of the family as father and mother or uncle and aunt and they were indoctrinated to consider themselves as travellers and members of the family. When they were seen at the Leighton Buzzard leisure centre being taken by a member of the family for a shower, they were described as grubby, unkempt, undernourished and submissive. They walked silently in a line with their heads kept down as if in a chain gang.

Over the years I am satisfied that many workers were recruited from the streets by you James John Connors and you Josie Connors were often present and certainly knew of the dishonest methods of recruitment. Many were from abroad and spoke little English. The vast majority, however desperate they were for a roof over their head, realised that the conditions were very bad, they were at risk of violence and the promised pay was not going to materialise. They departed by running away during the night or disappearing when they were not being observed some of them doing so after a few hours or days. There were only a small number who were so brutalised and degraded that their self esteem and courage to take matters into their own hands were wholly undermined. They stayed for much longer

periods. They lost the independence of will required to escape. Those men were valuable because they were a reliable source of essentially free labour for the business operated by you James John Connors but also for domestic or cleaning duties which you Josie Connors required of them. They were being ruthlessly exploited for greed. Substantial sums of money were generated as a result of their labour.

The defendants, in particular James John Connors, have contended during the trial that they are the victims of a police conspiracy. Perfectly proper concern for the welfare of the workers once they had left the site was characterised as sinister and improper inducements to encourage workers to provide false testimony. The truth is that the genuine care and concern for the workers demonstrated by the activities of various voluntary agencies and the police contrasted sharply with the motives of the defendants in dishonestly enticing homeless men onto their site and exploiting them. The defendants sought to suggest that they had done nothing wrong and the only reason they were on trial was because of racism against Irish travellers. It was suggested they led an honourable and proud way of life which this prosecution was seeking to destroy. They also presented themselves in court as religiously committed people. The truth is this case is not about racism or the way of life of Irish travellers. It is simply about a human being's capacity to be inhumane to a fellow human being. The way in which these defendants, for their own financial benefit, brutalised, manipulated and exploited men who were already plumbing the depths of despair as homeless beggars is pure evil. Their behaviour is profoundly at odds with the moral code of the religion they profess and indeed of any moral code whether it is based on religious or secular beliefs. Their complete disdain for the dignity and fundamental rights of their fellow human beings is shocking. They were not good Samaritans seeking to assist their fellow man in his hour of need and treating him as they would wish to be treated but violent, cold hearted exploiters of his frailties and ill fortune.

The maximum sentence for a single offence of holding another in servitude or requiring another to perform forced labour is 14 years imprisonment. This is the first case that has reached a conclusion in the courts of this country concerning these new offences. There are no sentencing guidelines. Unsurprisingly, Counsel have been unable to place before me any precedents as to appropriate sentencing levels. This is a difficult sentencing exercise not only because of the absence of guidance but also because the sentences I am required to pass are for offences which cruelly deprive a person of his liberty and it is difficult to put a tariff on freedom.

I approach the task of sentencing on the basis that I have uppermost in my mind the requirements of punishment and deterrence (in a general sense rather than based on any local prevalence of this type of offending). I also keep in mind that I am sentencing for offences committed between 6 April 2010 and 18 July 2011. However the evidence has been clear that the conduct of the defendants towards their workers and in particular M did not suddenly begin or change on 6 April 2010. It had been going on for many years and simply continued into the period when s.71 of the Coroners and Justice Act 2009 came into force albeit it may have become worse in the two years or so prior to July 2011. In so far as there is evidence of similar behaviour towards M prior to 6 April 2010 this is a significant aggravating factor. I also have considered the principle of totality in arriving at my conclusions as to the appropriate and just sentence in all the circumstances.

In respect of each of the custodial sentences I am going to pass, the defendant will serve up to half of the sentence before he or she is released. That release will be on licence and if the defendant breaches the terms of the licence or commits further offences, he or she may be returned to prison to serve all or part of the balance of the sentence. James John Connors who has been remanded pending the trial will be credited with the days he has spent in custody. If the information I have as to the number of days so spent is incorrect, then the record can be corrected through the administrative process.

James John Connors and Josie Connors

You have been convicted of being jointly responsible for (i) holding M in servitude between 6 April 2010 and 18 July 2011 and P in servitude between January and 18 July 2011 and (ii) requiring each of them to perform forced or compulsory labour between the same dates. You James John Connors have also been convicted of multiple incidents of assault occasioning actual bodily harm on M committed between 2004 and 2011 amounting to a course of conduct.

M was recruited in 2004 when you James John Connors saw him in a distressed state at a service station near Tamworth. He was a registered alcoholic. Over a period of three months he was weaned off alcohol. Your purpose was to put him to work. After he had been rescued by the police from your car on 18 July 2011 he was initially reluctant to speak about the reality of his experiences at your hands. His mind had been manipulated to believe that, even though he was very much older than both of you, you were his surrogate parents and he was part of your family. After a couple of weeks when he had overcome the trauma of his release, he spoke more openly about life on the travellers' site. He lived in a caravan that had no toilet or washing facilities. He was not permitted to use the facilities available to you and was required to go to the toilet in a neighbouring field. He was taken irregularly to have a shower in Leighton Buzzard. Much of the time the only food available was eggs and bread. He worked from about 5am until anything up to 9pm on driveway work and was then required to clean your living accommodation to an immaculate standard. He never had a day off. He was not paid. He described you James John Connors as a very nasty and violent man. He said that if you James John Connors were in a mood, you would have a go at him or other workers. He got a hiding and was verbally abused if he did anything wrong or was not working fast enough. He said towards the end of the time with you he was being beaten and practically starved. He said he was punched, kicked and hit with a broom handle and suffered many black eyes. He described life as abuse, torture and being treated like a slave. He was scared of you James John Connors and did not have the courage to leave for fear of what might happen. He was expected to talk to new workers to persuade them to stay. He described you Josie Connors as very insulting and abusive. You reported any perceived misdemeanour to your husband who then resorted to violence in your presence. On one occasion, for breaking one of Josie's favourite vases, you James John punched and kicked him breaking his finger. On another occasion, when he went into a neighbouring plot to get a cigarette, Josie reported this to you James John and you assaulted him with a broom handle and punched and kicked him causing multiple injuries. These are but examples of the many incidents of violence. When he broke his heel falling through a garage roof he was not initially taken to hospital but only when his leg was severely swollen. He was forced by

James John Connors to discharge himself and was put back to work when he was still in plaster.

P managed to contact the police and make his escape on 18 July 2011. He alerted the police to the whereabouts of M. He was recruited by you James John Connors in Josie's presence in Wembley in late March 2011. He was offered £80 per day for his labour. He received no pay throughout his time with you despite working up to sixteen hours a day with very few breaks. His personal possessions and documents were taken from him. He was forced by the two of you to hand over his benefit monies. He confirmed much of what was said by M about the living conditions on Plot 12 at the Greenacres site. The conditions were squalid and at times they were starving. You Josie Connors told him that if he ever used the toilet facilities you and James John had available you would break his arms and legs. He too had to go to the toilet in a field and was taken only occasionally for a shower in Leighton Buzzard. He said he was being mentally tortured and felt worse than a slave. He felt intimidated by and scared of you James John Connors in case you became violent. He witnessed violence committed against M. He was humiliated on one occasion by being forced to travel for about 30 minutes in the boot of your car and to sing nursery rhymes from that position to your child. He said that you Josie Connors abused and threatened him. You Josie Connors said in front of your husband that if he tried to leave you would get someone to murder him. To a man as vulnerable as P that was and was meant to be a serious threat. He was too scared to leave for fear of being caught and beaten up.

You, James John Connors, have previous convictions for an offence of dishonesty in 1995 and theft in 2011. You have no convictions for violence. You have been described as a family man concerned principally about your wife and children. If that was your concern then it is alarming that you allowed your children to be raised in an atmosphere of intimidation and violence to men held in servitude. Your treatment of M was particularly brutal and inhumane. It is aggravated by the fact that you treated him in this way for some time before 6 April 2010. For each of the two offences relating to your treatment of M the sentence is 7 years imprisonment concurrent. For the offence of assault on him relating to multiple incidents which amounted to a course of conduct, the sentence is 3 years imprisonment concurrent. For each of the two offences relating to your treatment of P the sentence is 4 years imprisonment concurrent but consecutive to the sentence in respect of M. The total sentence is 11 years. The days spent on remand for which you will receive credit against your sentence are 303.

You Josie Connors have no previous convictions. You are aged 31 and the mother of 3 children aged 9, 3 and 7 months. I am conscious of the fact that imprisonment will be a particular mental and psychological strain for you. However my inclination to exercise mercy is tempered by the horrific nature of the crimes you have committed. You played a less significant role than your husband in keeping M and P in servitude and requiring them to perform forced labour. Nevertheless you issued serious threats which undermined their confidence and assisted your husband in overriding their free will. You were quite content to report to your husband any conduct which you regarded as worthy of punishment and witnessed your husband mete out such punishment. You also took the

benefit of having unpaid workers who could be at your disposal whether to clean or carry out other household duties. For each of the two offences relating to your treatment of M the sentence is 2.5 years imprisonment concurrent. For each of the two offences relating to your treatment of P the sentence is 1.5 years imprisonment concurrent but consecutive to the sentence in respect of M. The total sentence is 4 years imprisonment. You will receive credit against your sentence for one day spent on remand.

** A court order imposes restrictions on reporting the names of the victims.*