



# **Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015**

## CHAPTER 2

### HUMAN TRAFFICKING AND EXPLOITATION (CRIMINAL JUSTICE AND SUPPORT FOR VICTIMS) ACT (NORTHERN IRELAND) 2015

#### PART 1

#### SLAVERY AND HUMAN TRAFFICKING OFFENCES

##### *The offences*

1. Slavery, servitude and forced or compulsory labour
2. Human trafficking
3. Meaning of exploitation for purposes of section 2
4. Committing offence with intent to commit offence under section 1 or 2

##### *Sentencing for offences under section 1 or 2*

5. Offences to be serious offences for purposes of sentencing
6. Aggravating factors
7. Minimum sentence for offence under section 1 or 2

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*Orders that may be made on conviction of offence under section 1 or 2*

8. Confiscation of assets
9. Detention and forfeiture of certain vehicles, ships and aircraft
10. Slavery and trafficking reparation orders

*Prevention, enforcement, etc.*

11. Slavery and trafficking prevention orders
12. Strategy on offences under sections 1 and 2
13. Duty to notify National Crime Agency about suspected victims of offences under section 1 or 2
14. Investigation and prosecution of offences under section 1 or 2

PART 2

OTHER EXPLOITATION OFFENCES

*Paying for sexual services of a person*

15. Paying for sexual services of a person

*Offence of forced marriage*

16. Offence of forced marriage

PART 3

ASSISTANCE AND SUPPORT

17. Interpretation of this Part
18. Assistance and support pending determination by competent authority
19. Assistance and support for exiting prostitution
20. Guidance as to compensation for victims
21. Independent guardian

PART 4

PROTECTION OF SLAVERY AND TRAFFICKING VICTIMS  
IN CRIMINAL INVESTIGATIONS AND PROCEEDINGS

22. Defence for slavery and trafficking victims in relation to certain offences
23. Protection of slavery and trafficking victims in criminal investigations
24. Special measures: amendments to the Criminal Evidence (Northern Ireland) Order 1999

## Part 4A

### Protection of victims of forced marriage

#### 24A Anonymity of victims of forced marriage

## PART 5

### SUPPLEMENTARY

25. Interpretation of this Act
26. Amendments, repeals and consequential provision
27. Orders and regulations
28. Short title and commencement

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## SCHEDULES

### SCHEDULE 1 — DETENTION AND FORFEITURE OF CERTAIN VEHICLES, SHIPS AND AIRCRAFT

#### *Forfeiture on conviction of offence under section 1 or 2*

1. (1) This paragraph applies if a person is convicted of...

#### *Detention of certain vehicles, ships and aircraft*

2. (1) If a person (“P”) has been arrested for an...

#### *Interpretation*

3. (1) In this Schedule— “captain” means master (of a ship)...

### SCHEDULE 2 — SLAVERY AND TRAFFICKING REPARATION ORDERS

#### *Power to make slavery and trafficking reparation order*

1. (1) The Crown Court may make a slavery and trafficking...

#### *Effect of slavery and trafficking reparation order*

2. (1) A slavery and trafficking reparation order is an order...

#### *Supplementary*

3. (1) A slavery and trafficking reparation order and a compensation...

### SCHEDULE 3 — SLAVERY AND TRAFFICKING PREVENTION ORDERS

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## PART 1 — MAKING AND EFFECT OF SLAVERY AND TRAFFICKING PREVENTION ORDERS

### *Slavery and trafficking prevention orders on dealing with defendant*

1. (1) A court may make a slavery and trafficking prevention...

### *Slavery and trafficking prevention orders on application*

2. (1) A court of summary jurisdiction may make a slavery...

### *Meaning of “relevant offender”*

3. (1) A person is a “relevant offender” for the purposes...

### *Effect of slavery and trafficking prevention orders*

4. (1) A slavery and trafficking prevention order is an order...

### *Prohibitions on foreign travel*

5. (1) A prohibition on foreign travel contained in a slavery...

### *Variation, renewal and discharge*

6. (1) A person within sub-paragraph (2) may apply to the...

### *Interim slavery and trafficking prevention orders*

7. (1) This paragraph applies where an application under paragraph 2...

### *Appeals*

8. (1) A defendant may appeal against the making of a...

## PART 2 — NOTIFICATION REQUIREMENTS

### *Offender subject to notification requirements*

9. (1) References in the following provisions of this Schedule to...

### *Initial notification*

10. (1) An offender subject to notification requirements must notify the...

### *Notification of changes*

11. (1) An offender subject to notification requirements must, within the...

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*Periodic notification*

12. (1) An offender subject to notification requirements must, within the...

*Absence from notified residence*

13. (1) This paragraph applies to an offender subject to notification...

*Travel outside the United Kingdom*

14. (1) The Department may by regulations make provision with respect...

*Method of notification and related matters*

15. (1) An offender gives a notification to the police under...  
PART 3 — SUPPLEMENTARY

*Offences*

16. (1) A person who, without reasonable excuse, fails to comply...

*Cross-border enforcement within UK*

17. (1) The Department may by order amend paragraph 16(1) so...

*Supply of information to relevant Northern Ireland departments, Secretary of State, etc.*

18. (1) This paragraph applies to information notified to the police...

*Supply of information by relevant Northern Ireland departments, Secretary of State, etc.*

19. (1) A report compiled under paragraph 18 may be supplied...

*Information about release or transfer of offender*

20. (1) This paragraph applies to an offender subject to notification...

*Power of entry and search of offender's home address*

21. (1) If, on an application made by a police officer...

*Guidance*

22. (1) The Department must issue guidance to the Chief Constable...

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### *Interpretation of this Schedule*

23. (1) In this Schedule— “cautioned” means cautioned after the person...

#### Schedule 3A — Anonymity of victims of forced marriage

##### *Prohibition on the identification of victims in publications*

1. (1) This paragraph applies where an allegation has been made...

##### *Penalty for breaching prohibition imposed by paragraph 1(2)*

2. (1) If anything is included in a publication in contravention...

##### *Offence under paragraph 2: defences*

3. (1) This paragraph applies where a person (“ the defendant...

##### *Special rules for providers of information society services*

4. (1) Paragraph 2 applies to a domestic service provider who,...
5. (1) Proceedings for an offence under paragraph 2 may not...
6. (1) A service provider does not commit an offence under...
7. (1) A service provider does not commit an offence under...
8. (1) A service provider does not commit an offence under...

### *Interpretation*

9. (1) In this Schedule— “ domestic service provider ” means...

#### SCHEDULE 4 — MINOR AND CONSEQUENTIAL AMENDMENTS PART 1 — AMENDMENTS RELATING TO OFFENCES UNDER SECTION 1 OR 2

##### *The Children and Young Persons Act (Northern Ireland) 1968 (c. 34)*

1. In Schedule 1 (offences against children and young persons to...

##### *The Immigration Act 1971 (c. 77)*

2. In section 25C (forfeiture of vehicle, ship or aircraft) in...

##### *The Police and Criminal Evidence (Northern Ireland) Order 1989 (NI 12)*

3. In Article 53A(2) (questioning and treatment of persons by police:...

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*The Sexual Offences (Amendment) Act 1992 (c. 3)*

4. In section 2(3) (offences under law of Northern Ireland to...

*The Sexual Offences Act 2003 (c. 42)*

5. In Schedule 5 (relevant offences for purposes of notification and...

*The Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 (c. 19)*

6. In section 14(2) (immigration officers' power of arrest) after paragraph...

*The Serious Crime Act 2007 (c. 27)*

7. In paragraph 18 of Part 2 of Schedule 1 (serious...

*The Sexual Offences (Northern Ireland) Order 2008 (NI 2)*

8. (1) In Article 22(2)(b) (meeting child following sexual grooming, etc.)...

PART 2 — AMENDMENTS RELATING TO SLAVERY AND  
TRAFFICKING REPARATION ORDERS

*The Criminal Justice (Northern Ireland) Order 1994 (NI 15)*

9. In Article 16(a) (review of compensation orders) for the words...

*The Social Security (Recovery of Benefits) (Northern Ireland) Order 1997 (NI 12)*

10. In paragraph 2 of Schedule 1 (exempted payments) for “1994...

*The Criminal Justice (Northern Ireland) Order 1996 (NI 24)*

11. In Article 4(5) (absolute and conditional discharge) at the end...
12. In Article 13(11) (community service order) at the end insert...

*The Proceeds of Crime Act 2002 (c. 29)*

13. (1) Section 163 (effect of confiscation order on court's other...
14. In section 182(7)(b) (court's powers on appeal) at the end...
15. In section 183(9)(b) (appeal to Supreme Court) at the end...
16. In section 205(5) (application of sums received under confiscation order...
17. In section 308 (general exceptions to concept of recoverable property)...

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*The Recovery of Health Service Charges (Northern Ireland) Order 2006 (NI 13)*

18. In paragraph 1 of Schedule 1 (recovery of health care...

*The Justice (Northern Ireland) Act 2012 (c. 24)*

19. In section 1(5) (offender levy) after “1994 (NI 15)” insert...

SCHEDULE 5 — REPEALS



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**Changes and effects yet to be applied to :**

- s. 7 excluded by [2016 c. 18 \(N.I.\) s. 170\(1\)s. 170\(2\)\(d\)](#)
- s. 18 restricted by [2023 c. 37 s. 25\(2\)](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 18(10A) inserted by [2023 c. 37 s. 28\(5\)](#)