

*These notes refer to the Human Trafficking and Exploitation
(Criminal Justice and Support for Victims) Act (Northern Ireland)
2015 (c.2) which received Royal Assent on 13 January 2015*

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

EXPLANATORY NOTES

BACKGROUND AND POLICY OBJECTIVES

3. Human trafficking and slavery are heinous crimes and an unacceptable abuse of basic human rights. The objective of the Act, is to provide Northern Ireland with a more robust legal framework in relation to:
 - the prosecution of traffickers and those subjecting people in Northern Ireland to conditions of slavery;
 - the provision of improved support for victims; and
 - tackling the demand for the services of trafficked victims.
4. The Act also seeks to achieve improved compliance with international obligations under the Council of Europe Convention on Action against Trafficking in Human Beings¹ and the European Directive on Preventing and Combating Trafficking in Human Beings and Protecting its Victims².
5. The Act:
 - simplifies the legislative framework surrounding offences of human trafficking and slavery;
 - enhances public protection by amending the sentencing framework for human trafficking and slavery-like offences and introducing slavery and trafficking prevention orders;
 - establishes a statutory minimum sentence for those convicted of human trafficking and slavery-like offences;
 - enhances provision to facilitate the confiscation of criminal assets that have been accumulated as a result of human trafficking and slavery-like offences;

¹ Council of Europe Treaty Series No 197, 2005

² Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011

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- enables courts to order individuals convicted of human trafficking and slavery-like offences to pay reparation to their victims;
- reinforces the criminal justice system's capacity in terms of prevention and enforcement of trafficking and slavery-like offences;
- makes it a criminal offence to pay for the sexual services of a person;
- extends the criminal law in Northern Ireland to forced marriage;
- makes statutory provision in respect of the assistance and support for victims and potential victims of human trafficking;
- makes statutory provision in respect of those who wish to leave prostitution;
- introduces independent guardians for child victims and potential victims of human trafficking as well as separated children; and
- introduces new measures aimed at protecting victims of human trafficking and slavery-like offences during investigations and criminal proceedings, including the introduction of a statutory defence for slavery or trafficking victims who have been compelled to commit certain offences.