

*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

COMMENTARY ON SECTIONS

Section 5: Offences to be “serious offences” for the purposes of sentencing

Section 5 amends the Criminal Justice (Northern Ireland) Order 2008 relating to sentencing provision for human trafficking and slavery-like offences.

Subsection (2) amends Schedule 1 to the 2008 Order to specify offences of slavery, servitude and forced or compulsory labour and of human trafficking under sections 1 and 2 of the Act respectively as serious offences for the purposes of sentencing dangerous offenders.

Subsection (3) amends Schedule 2 to the 2008 Order to specify human trafficking and slavery-like offences as violent offences under Part 1 of that Schedule and Subsection (4) amends Part 2 of Schedule 2 to specify human trafficking for sexual exploitation as a specified sexual offence for the purposes of sentencing dangerous offenders.

In doing so, section 5 brings these new offences under the ambit of the public protection sentencing framework provided for under Articles 13 and 14 of the 2008 Order so that, where the court considers it necessary for the purposes of public protection, it can impose a life sentence, an indeterminate custodial sentence or an extended custodial sentence. Individuals subject to such sentences would also be subject to the relevant release, licence and recall arrangements.