
Status: Point in time view as at 27/11/2015.

Changes to legislation: Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015, Cross Heading: Power of entry and search of offender's home address is up to date with all changes known to be in force on or before 03 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 3

SLAVERY AND TRAFFICKING PREVENTION ORDERS

PART 3

SUPPLEMENTARY

Power of entry and search of offender's home address

21.—(1) If, on an application made by a police officer of the rank of superintendent or above, a lay magistrate is satisfied that the requirements in sub-paragraph (2) are met in relation to any premises, the lay magistrate may issue a warrant authorising a constable—

- (a) to enter the premises for the purpose of assessing the risks posed by the offender subject to notification requirements to whom the warrant relates; and
- (b) to search the premises for that purpose.

(2) The requirements are—

- (a) that the address of each set of premises specified in the application is an address falling within sub-paragraph (3);
- (b) that the offender is not one to whom sub-paragraph (4) applies;
- (c) that it is necessary for a constable to enter and search the premises for the purpose mentioned in sub-paragraph (1)(a); and
- (d) that on at least two occasions a constable has sought entry to the premises in order to search them for that purpose and has been unable to obtain entry for that purpose.

(3) An address falls within this sub-paragraph if—

- (a) it is the address which was last notified in accordance with this Schedule by the offender to the police as the offender's home address; or
- (b) there are reasonable grounds to believe that the offender resides there or may regularly be found there.

(4) This sub-paragraph applies to an offender if the offender is—

- (a) remanded in or committed to custody by order of a court;

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- (b) serving a custodial sentence;
- (c) detained in a hospital; or
- (d) outside the United Kingdom.

(5) A warrant issued under this paragraph must specify the one or more sets of premises to which it relates.

(6) The warrant may authorise the constable executing it to use reasonable force if necessary to enter and search the premises.

(7) The warrant may authorise entry to and search of premises on more than one occasion if, on the application, the lay magistrate is satisfied that it is necessary to authorise multiple entries in order to achieve the purpose mentioned in subparagraph (1)(a).

(8) Where a warrant issued under this paragraph authorises multiple entries, the number of entries authorised may be unlimited or limited to a maximum.

(9) In this paragraph a reference to the offender subject to notification requirements to whom the warrant relates is a reference to the offender—

- (a) who has in accordance with this Schedule notified the police that the premises specified in the warrant are the offender's home address; or
- (b) in respect of whom there are reasonable grounds to believe that the offender resides there or may regularly be found there.

Commencement Information

II Sch. 3 para. 21 in operation at 27.11.2015 for specified purposes by S.R. 2015/376, art. 2

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