

*Status: Point in time view as at 31/03/2017.*

*Changes to legislation: Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015, Cross Heading: Offence under paragraph 2: defences is up to date with all changes known to be in force on or before 10 November 2023. 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

### [<sup>F1</sup>Schedule 3A

#### Anonymity of victims of forced marriage

##### Textual Amendments

**F1** Sch. 3A inserted (31.3.2017) by Policing and Crime Act 2017 (c. 3), ss. 174(2), 183(6)(d)

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

**3.—**(1) This paragraph applies where a person (“the defendant”) is charged with an offence under paragraph 2 as a result of the inclusion of any matter in a publication.

(2) It is a defence for the defendant to prove that, at the time of the alleged offence, the defendant was not aware, and did not suspect or have reason to suspect, that—

- (a) the publication included the matter in question, or
- (b) the allegation in question had been made.

(3) It is a defence for the defendant to prove that the publication in which the matter appeared was one in respect of which the victim had given written consent to the appearance of matter of that description.

(4) The defence in sub-paragraph (3) is not available if—

- (a) the victim was under the age of 16 at the time when his or her consent was given, or
- (b) a person interfered unreasonably with the peace and comfort of the victim with a view to obtaining his or her consent.

(5) In this paragraph, “the victim” means the person against whom the offence of forced marriage in question is alleged to have been committed.]

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