

These notes refer to the Criminal Justice and Immigration Act 2008 (c.4) which received Royal Assent on 8 May 2008

CRIMINAL JUSTICE AND IMMIGRATION ACT 2008

EXPLANATORY NOTES

THE ACT

Commentary on Sections

Part 10: Special immigration status

Section 146: Convention against human trafficking

838. [Section 146](#) inserts a new section 33(6A) into the UK Borders Act 2007. Section 32 to 39 of that Act provide for the automatic deportation of certain foreign criminals, subject to the exceptions in section 33. New section 33(6A) provides that the Secretary of State does not have to deport a person automatically where he thinks this would be contrary to the United Kingdom's obligations under the Council of Europe Convention on Action against Trafficking in Human Beings. This is to ensure that the UK can comply with the Convention once it has been ratified.