

*These notes refer to the Criminal Justice Act (Northern Ireland)
2013 (c.7) which received Royal Assent on 25 April 2013*

Criminal Justice Act (Northern Ireland) 2013

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 7: Trafficking people for other exploitation

Section 7 amends section 4 of the Asylum and Immigration (Treatment of Claimants, etc) Act 2004 (“the 2004 Act”), and inserts new subsections (3A) and (4A). The amendments, in a similar manner to section 58A mentioned above, create an offence to allow for the prosecution of a person who has trafficked someone anywhere outside the UK e.g. if a person trafficked an individual from Mexico to Brazil. Again, the offence deals with the abuse of trafficked victims at all stages of their journey or ongoing travel, and applies to British citizens, habitual residents of Northern Ireland and bodies incorporated under the law of a part of the United Kingdom. A person guilty of the offence is liable, on conviction on indictment, to a term of imprisonment not exceeding 14 years. The amendments include a reference to the Human Tissue Act 2004 in relation to the meaning of “exploitation”. The sentence for an offence under section 4 may now be referred to the Court of Appeal under section 36 of the Criminal Justice Act 1988.

Section 7 also amends section 4(2) so that trafficking a person within the United Kingdom for the purposes of labour or other exploitation is an offence even if the person was not trafficked into the United Kingdom in the first place, e.g. it will be an offence if a person who has always resided in the United Kingdom is trafficked from, say, London to Belfast for the purpose of labour exploitation; this is already an offence in relation to trafficking for sexual exploitation.