

*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 23: Protection of slavery and trafficking victims in criminal investigations

Section 23 makes provision aimed at ensuring greater protections for victims of slavery-like offences and human trafficking during police interviews in the course of criminal investigations.

Subsection (1)(a) places an duty on the Chief Constable to ensure that, during the investigation of a human trafficking or slavery-like offence, the complainant receives specific treatment aimed at preventing secondary victimisation by avoiding, so far as possible:

- unnecessary repetition of interviews;
- visual contact between the complainant and the accused, using appropriate means including communication technology;
- unnecessary questioning concerning the complainant's private life.

Subsection (1)(b) makes separate provision in respect of the additional where the complainant is a child. These include a duty on the Chief Constable to ensure that:

- interviews with the complainant take place without unjustified delay;
- interviews take place, where necessary, in premises designed or adapted for the purpose;
- interviews with the complainant are carried out by or through persons trained for the purpose;
- if possible and where appropriate, the same persons conduct all the interviews with the complainant;

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- the number of interviews with the complainant is as limited as possible and interviews are carried out only where strictly necessary for the purposes of the investigation;
- the complainant may be accompanied by an adult of the complainant's choice (unless the police officer in charge takes a reasoned decision to the contrary).

Subsection (2) defines what is meant by the words "the accused" and "complainant".