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*Changes to legislation: Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015, Cross Heading: Power to make slavery and trafficking reparation order is up to date with all changes known to be in force on or before 30 September 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) View outstanding changes*

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## SCHEDULES

### SCHEDULE 2

#### SLAVERY AND TRAFFICKING REPARATION ORDERS

##### *Power to make slavery and trafficking reparation order*

- 1.—(1) The Crown Court may make a slavery and trafficking reparation order against a person if—
- (a) the person has been convicted of an offence under section 1, 2 or 4, and
  - (b) the Crown Court makes a confiscation order against the person in respect of the offence.
- (2) The Crown Court may also make a slavery and trafficking reparation order against a person if—
- (a) by virtue of section 178 of the Proceeds of Crime Act 2002 (defendants who abscond during proceedings) it has made a confiscation order against a person in respect of an offence under section 1, 2 or 4, and
  - (b) the person is later convicted of the offence.
- (3) The court may make a slavery and trafficking reparation order against the person in addition to dealing with the person in any other way (subject to paragraph 3(1)).
- (4) In a case within sub-paragraph (1) the court may make a slavery and trafficking reparation order against the person even if the person has been sentenced for the offence before the confiscation order is made.
- (5) In determining whether to make a slavery and trafficking reparation order against the person the court must have regard to the person's means.
- (6) If the court considers that—
- (a) it would be appropriate both to impose a fine and to make a slavery and trafficking reparation order, but
  - (b) the person has insufficient means to pay both an appropriate fine and appropriate compensation under such an order,
- the court must give preference to compensation (although it may impose a fine as well).
- (7) In any case in which the court has power to make a slavery and trafficking reparation order it must—

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- (a) consider whether to make such an order (whether or not an application for such an order is made), and
  - (b) if it does not make an order, give reasons.
- (8) In this paragraph—
- (a) “confiscation order” means a confiscation order under section 156 of the Proceeds of Crime Act 2002;
  - (b) a confiscation order is made in respect of an offence if the offence is the offence (or one of the offences) concerned for the purposes of Part 4 of that Act.

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 18(10A) inserted by [2023 c. 37 s. 28\(5\)](#)