
Status: Point in time view as at 27/11/2015.

Changes to legislation: Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015, Cross Heading: Variation, renewal and discharge is up to date with all changes known to be in force on or before 21 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)

SCHEDULES

SCHEDULE 3

SLAVERY AND TRAFFICKING PREVENTION ORDERS

PART 1

MAKING AND EFFECT OF SLAVERY AND TRAFFICKING PREVENTION ORDERS

Variation, renewal and discharge

6.—(1) A person within sub-paragraph (2) may apply to the appropriate court for an order varying, renewing or discharging a slavery and trafficking prevention order.

(2) The persons are—

- (a) the defendant;
- (b) the Chief Constable.

(3) On the application the court, after hearing—

- (a) the person making the application, and
- (b) the other person mentioned in sub-paragraph (2) (if that person wishes to be heard),

may make any order varying, renewing or discharging the slavery and trafficking prevention order that the court considers appropriate.

(4) An order may be renewed, or varied so as to impose additional prohibitions or requirements on the defendant, only if the court is satisfied that—

- (a) there is a risk that the defendant may commit a slavery or human trafficking offence; and
- (b) it is necessary to renew or vary the order for the purpose of protecting persons generally, or particular persons, from the physical or psychological harm which would be likely to occur if the defendant committed such an offence.

(5) Any renewed or varied order may contain only those prohibitions or requirements which the court is satisfied are necessary for that purpose.

Status: Point in time view as at 27/11/2015.

Changes to legislation: Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015, Cross Heading: Variation, renewal and discharge is up to date with all changes known to be in force on or before 21 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)

(6) The court must not discharge an order before the end of 5 years beginning with the day on which the order was made, without the consent of the defendant and the Chief Constable.

(7) Sub-paragraph (6) does not apply to an order containing a prohibition on foreign travel and no other prohibitions.

(8) In this paragraph “the appropriate court” means—

- (a) where the Crown Court or the Court of Appeal made the slavery and trafficking prevention order, the Crown Court;
- (b) in any other case, a court of summary jurisdiction.

(9) An application under sub-paragraph (1) may be made—

- (a) where the appropriate court is the Crown Court, in accordance with Crown Court rules;
- (b) in any other case, by complaint.

Commencement Information

II Sch. 3 para. 6 in operation at 27.11.2015 for specified purposes by S.R. 2015/376, art. 2

Status:

Point in time view as at 27/11/2015.

Changes to legislation:

Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015, Cross Heading: Variation, renewal and discharge is up to date with all changes known to be in force on or before 21 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.