



2022 CHAPTER 19

PART 2

Trafficking and exploitation

Support for victims of trafficking etc

21.—(1) The Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015 is amended as follows.

(2) In section 17 (interpretation of the Part)—

(a) before subsection (1) insert—

“(A1) For the purposes of this Part, there is a conclusive determination that a person is, or is not, a victim of—

(a) slavery or servitude, or

(b) forced or compulsory labour,

when, on completion of an identification process corresponding to one required by Article 10 of the Trafficking Convention, a competent authority concludes that the person is, or is not, such a victim.”;

(b) after subsection (1) insert—

“(1A) A reference in this Part to—

(a) slavery or servitude, or

(b) forced or compulsory labour,

is to be construed in accordance with Article 4 of the Human Rights Convention.”.

(3) In section 18 (assistance and support pending determination by competent authority)—

- (a) for “victim of trafficking in human beings” wherever occurring substitute “qualifying victim”;
- (b) in subsection (4), after “days” insert “, or such longer period as the Department thinks necessary.”;
- (c) in subsection (9), after “further period” insert “of up to 12 months, or longer than 12 months.”;
- (d) after subsection (10) insert—
 - “(11) In this section, “qualifying victim” means—
 - (a) a victim of trafficking in human beings, or
 - (b) a victim of—
 - (i) slavery or servitude, or
 - (ii) forced or compulsory labour.”.

Defence for slavery and trafficking victims

22. In section 22 (defence for slavery and trafficking victims in relation to certain offences) of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015—

- (a) in subsection (9)(a)(i), after “of a” insert “Class A.”;
- (b) in subsection (9)(a)(ii), after “of a” insert “Class A or”.

Strategies on slavery and trafficking offences

23. In section 12 (strategy on offences under sections 1 and 2) of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015, in subsection (1), for “in every year” substitute “every 3 years”.

Protective measures for victims of slavery or trafficking

24.—(1) The Department of Justice may by regulations make provision—

- (a) enabling or requiring steps to be taken or measures to be imposed for protecting a person who is, or who appears to be at risk of becoming, a relevant victim,
- (b) for the purpose of or in connection with such steps or measures for protecting a person who is, or who appears to be at risk of becoming, a relevant victim.

(2) A reference in this section to a relevant victim is to be construed in the same way as a reference to a qualifying victim in section 18 of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015.

Status: This is the original version (as it was originally enacted).

(3) Steps or measures which may be provided for in regulations under this section include (but are not limited to) notices or orders.

(4) A draft of regulations under this section must be laid before the Assembly no later than the end of the period of 2 years beginning with the day on which this section comes into operation.

(5) Regulations under this section may not be made unless a draft of them has been laid before and approved by a resolution of the Assembly.