



# Modern Slavery Act 2015

## 2015 CHAPTER 30

### PART 2

#### PREVENTION ORDERS

##### *Slavery and trafficking risk orders*

### 23 Slavery and trafficking risk orders

- (1) A magistrates' court may make a slavery and trafficking risk order against a person ("the defendant") on an application by—
  - (a) a chief officer of police,
  - (b) an immigration officer,<sup>F1</sup>...
  - (c) the Director General of the National Crime Agency ("the Director General")<sup>F2</sup>, or
  - (d) the Gangmasters and Labour Abuse Authority.]
- (2) The court may make the order only if it is satisfied that the defendant has acted in a way which means that—
  - (a) there is a risk that the defendant will commit a slavery or human trafficking offence, and
  - (b) it is necessary to make 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.
- (3) A chief officer of police may make an application under this section only in respect of a person—
  - (a) who lives in the chief officer's police area, or
  - (b) who the chief officer believes is in that area or is intending to come to it.
- (4) An application under this section is to be made by complaint, and may be made to any magistrates' court acting for a local justice area that includes—
  - (a) any part of a relevant police area, or

*Changes to legislation: Modern Slavery Act 2015, Section 23 is up to date with all changes known to be in force on or before 14 March 2024. 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*

- (b) any place where it is alleged that the person acted in a way mentioned in subsection (2).
- (5) Where the defendant is under 18, a reference in this section to a magistrates' court is to be taken as referring to a youth court (subject to any rules of court made under section 32).
- (6) Where an immigration officer<sup>F3</sup>, the Director General or the Gangmasters and Labour Abuse Authority] makes an application under this section, the officer<sup>F4</sup>, the Director General or the Authority] must give notice of the application to the chief officer of police for a relevant police area.
- (7) “Relevant police area” means—
- (a) where the applicant is a chief officer of police, the officer's police area;
  - (b) where the applicant is an immigration officer<sup>F5</sup>, the Director General or the Gangmasters and Labour Abuse Authority], the police area where the defendant lives or a police area which the officer<sup>F6</sup>, the Director General or the Authority] believes the defendant is in or is intending to come to.
- (8) The acts of the defendant which may be relied on for the purposes of subsection (2) include acts taking place before this section comes into force.

#### Textual Amendments

- F1** Word in s. 23(1) omitted (12.7.2016) by virtue of [Immigration Act 2016 \(c. 19\)](#), s. 94(1), [Sch. 2 para. 13\(2\)\(a\)](#); [S.I. 2016/603](#), [reg. 3\(t\)](#)
- F2** S. 23(1)(d) and preceding word inserted (12.7.2016) by [Immigration Act 2016 \(c. 19\)](#), s. 94(1), [Sch. 2 para. 13\(2\)\(b\)](#); [S.I. 2016/603](#), [reg. 3\(t\)](#)
- F3** Words in s. 23(6) substituted (12.7.2016) by [Immigration Act 2016 \(c. 19\)](#), s. 94(1), [Sch. 2 para. 13\(3\)\(a\)](#); [S.I. 2016/603](#), [reg. 3\(t\)](#)
- F4** Words in s. 23(6) substituted (12.7.2016) by [Immigration Act 2016 \(c. 19\)](#), s. 94(1), [Sch. 2 para. 13\(3\)\(b\)](#); [S.I. 2016/603](#), [reg. 3\(t\)](#)
- F5** Words in s. 23(7)(b) substituted (12.7.2016) by [Immigration Act 2016 \(c. 19\)](#), s. 94(1), [Sch. 2 para. 13\(4\)\(a\)](#); [S.I. 2016/603](#), [reg. 3\(t\)](#)
- F6** Words in s. 23(7)(b) substituted (12.7.2016) by [Immigration Act 2016 \(c. 19\)](#), s. 94(1), [Sch. 2 para. 13\(4\)\(b\)](#); [S.I. 2016/603](#), [reg. 3\(t\)](#)

#### Commencement Information

- I1** S. 23 in force at 31.7.2015 by [S.I. 2015/1476](#), [reg. 2\(b\)](#)

**Changes to legislation:**

Modern Slavery Act 2015, Section 23 is up to date with all changes known to be in force on or before 14 March 2024. 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.

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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. 50A(5A) inserted by [2023 c. 37 s. 28\(1\)](#)