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*Status: Point in time view as at 27/11/2015.*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: Slavery and trafficking prevention orders on dealing with defendant is up to date with all changes known to be in force on or before 28 June 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)*

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## SCHEDULES

### SCHEDULE 3

#### SLAVERY AND TRAFFICKING PREVENTION ORDERS

##### PART 1

#### MAKING AND EFFECT OF SLAVERY AND TRAFFICKING PREVENTION ORDERS

##### *Slavery and trafficking prevention orders on dealing with defendant*

1.—(1) A court may make a slavery and trafficking prevention order against a person aged 18 or over (“the defendant”) where it deals with the defendant in respect of—

- (a) a conviction for a slavery or human trafficking offence,
- (b) a finding that the defendant is not guilty of a slavery or human trafficking offence by reason of insanity, or
- (c) a finding that the defendant is unfit to plead and has done the act charged against the defendant in respect of a slavery or human trafficking offence.

(2) The court may make the order only if it 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 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) For the purposes of sub-paragraph (1), convictions and findings include those taking place before this Schedule comes into operation.

(4) In this Schedule a “slavery or human trafficking offence” means any of the following offences—

- (a) an offence under section 145 of the Nationality, Immigration and Asylum Act 2002 (trafficking for prostitution);
- (b) an offence under section 57, 58, 58A, 59 or 59A of the Sexual Offences Act 2003 (trafficking for sexual exploitation);

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- (c) an offence under section 62 of that Act (committing offence with intent to commit relevant sexual offence), where the relevant sexual offence the person in question intended to commit was an offence under section 57, 58, 58A, 59 or 59A of that Act;
  - (d) an offence under section 22 of the Criminal Justice (Scotland) Act 2003 (trafficking for prostitution);
  - (e) an offence under section 4 of the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 (trafficking for exploitation);
  - (f) an offence under section 71 of the Coroners and Justice Act 2009 (slavery, servitude and forced or compulsory labour);
  - (g) an offence under section 47 of the Criminal Justice and Licensing (Scotland) Act 2010 (slavery, servitude and forced or compulsory labour);
  - (h) an offence under section 1, 2 or 4 of this Act;
  - (i) an offence of attempting or conspiring to commit an offence listed above;
  - (j) an offence committed by aiding, abetting, counselling, procuring or inciting the commission of an offence so listed;
  - (k) an offence under Part 2 of the Serious Crime Act 2007 (encouraging or assisting) where the offence (or one of the offences) which the person in question intends or believes would be committed is an offence so listed.
- (5) The Department may by order amend sub-paragraph (4).

#### **Commencement Information**

**II** Sch. 3 para. 1 in operation at 27.11.2015 for specified purposes by S.R. 2015/376, art. 2

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