

*These notes refer to the Human Trafficking and Exploitation
(Criminal Justice and Support for Victims) Act (Northern Ireland)
2015 (c.2) which received Royal Assent on 13 January 2015*

Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 1: Slavery, servitude and forced or compulsory labour

Section 1 creates a new offence of slavery, servitude and forced or compulsory labour which replaces the previous offence under Section 71 of the Coroners and Justice Act 2009. It makes it an offence to knowingly hold another person in slavery or servitude or to knowingly require another person to perform forced or compulsory labour.

Subsection (2) defines what is meant by slavery, servitude and forced or compulsory labour by reference to Article 4 of the Human Rights Convention.

Subsections (3) and (4), taken together, provide that in determining whether a person is a victim of an offence under this section regard may be had to that individual's personal circumstances and, in particular, to any circumstances which would make them more vulnerable than others to being exploited.

Subsection (5) clarifies that the victim's consent to any part of an offence under this section is irrelevant. Subsection (6) makes offences of slavery, servitude and forced or compulsory labour in Northern Ireland triable on indictment only. This is in line with the former arrangements for human trafficking offences in Northern Ireland under the Criminal Justice Act (Northern Ireland) 2013.