



2015 CHAPTER 2

PART 1

SLAVERY AND HUMAN TRAFFICKING OFFENCES

Sentencing for offences under section 1 or 2

Aggravating factors

6.—(1) Where a court is considering for the purposes of sentencing the seriousness of an offence under section 1 or 2, the court must treat the following as aggravating factors—

- (a) the offence was committed by a public official in relation to the performance of her or his duties;
- (b) the offence was committed by a member of the family of the victim;
- (c) the offence was committed by a person in a position of trust;
- (d) the offence was committed against a child;
- (e) the offence was committed against a vulnerable adult;
- (f) the offence was committed by the use of threats against a member of the family of the victim;
- (g) the offender deliberately or by gross negligence endangered the life of the victim;
- (h) the offence caused serious harm to the victim; or
- (i) the offence was committed by a person who has previously been convicted—
 - (i) of an offence under section 1 or 2;

- (ii) of an offence under any provision repealed by this Act;
- (iii) in respect of anything done outside Northern Ireland which was not an offence mentioned in sub-paragraph (i) or (ii) but would have been such an offence if done in Northern Ireland.

(2) In this section—

“public official” means—

- (a) a member of the Northern Ireland civil service or the United Kingdom civil service;
- (b) a person employed by a body established by an Act of Parliament or by Northern Ireland legislation;
- (c) the holder of an office established by an Act of Parliament or by Northern Ireland legislation;
- (d) a police officer;

“serious harm” has the same meaning as in Article 3 of the Criminal Justice (Northern Ireland) Order 2008.