

Questions from MSHT lunchtime seminar on Identifying modern slavery and human trafficking in the context of child criminal exploitation in Northern Ireland

Is the main legislation in NI around MS and the NRM the 'Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act 2015' as opposed to the 'Modern Slavery Act 2015' in England and Wales?

Yes, that is correct. There is another relevant piece of legislation: Justice (Sexual Offences and Trafficking Victims) Northern Ireland (2022)

Note also: some limited provisions of the Modern Slavery Act 2015 do apply to Northern Ireland.

In terms of recommendation 2:- Would the scope of more training enable an increased number of organisations becoming first responders? I was asked, at a recent community engagement forum, why aren't more organisations part of this?

It is possible that more organisations may become first responders, but this may not necessarily be the case. Increased training can assist in two main ways: (1) helping to improve the capacity and confidence of existing first responders to make high quality NRM referrals, (2) helping those within non-first responder organisations understand when it would be appropriate to consider referring a case to a first responder for assistance with an NRM referral.

Could I ask the title of the Spanish project mentioned by Gillian?

Gillian mentioned the work of Villacampa and Torres, available [here](#).

Palermo protocol requires movement of individuals for trafficking but TVPA of USA doesn't require movement for trafficking to take place. What's your opinion on contemporary discourse on this issue of movement of victims as it creates a lot of confusion to define human trafficking?

The Palermo Protocol does not require movement. Rather, one of the following 'acts' is required: 'recruitment, transportation, transfer, harbouring, or receipt of persons'. There is a discussion about the scope of the obligation to criminalise under the Palermo Protocol read in conjunction with the UN Convention against Transnational Organized Crime, but it is generally accepted that human trafficking can occur without movement. Our report discusses the impact of conceptions of trafficking that require movement, in the Northern Ireland context.

What steps would it take for the 'duty to identify' to come into force in Northern Ireland?

The Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act 2015 contains a provision re: a duty to notify, in Section 13. This provision remains prospective. It could be brought into force by a Commencement Order. The text of Section 13 would also require regulations which would specify which organisations would possess such a duty and other relevant information. The current [Northern Ireland MSHT strategy \(2024-2027\)](#) contains a commitment to introduce the Duty to Notify.