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| **Strategic Recommendations** | | **Department of Justice Action Plan** |
| 2. The Department of Justice should ***review the Northern Ireland Modern Slavery Strategy (Strategy)*** to take account of the issues raised in this report including:  • a longer-term approach to raising awareness, supporting victims and tackling modern slavery and human trafficking in Northern Ireland;  • involvement of relevant Northern Ireland Departments in the design and delivery of the awareness-raising measures in the ‘Protect’ and ‘Prevent’ strands of the Strategy;  • the arrangements for measurement, oversight and accountability of performance through the Organised Crime Task Force Modern Slavery and Human Trafficking Sub Group;  • Strategy and Organised Crime Taskforce Sub Group inputs to ensure at a strategic level measures designed to pursue modern slavery offenders included offenders targeting children whether for internal and / or cross-border trafficking and  • the need for published annual progress reports.  The review should be completed within one year of the publication of this report. (Paragraph 3.137) | | The Department supports the recommended longer term approach to the issues in the report. A consultation on the proposed amendments to the requirement for an annual strategy, while continuing to provide annual progress reports, concluded in early September. Consultees were supportive of the change. The Justice Committee has been advised of the outcome of the consultation and the changes to be provided for in the Justice (Miscellaneous Provisions) Bill.  In the interim a draft Modern Slavery Strategy for 2021/22 has been developed and considered by the Justice Committee, and will be issued for public consultation before the end of October 2020. |
| 3. The Department of Justice should prioritise and consult on legislation to contain a ***requirement for jury directions*** to be given in modern slavery and human trafficking offence cases to enable juries to approach court evidence in a more informed manner. (Paragraph 3.192) | | The Department is content to include consultation on this recommendation in a consultation on a programme of juror proposals. There are a number of recommendations emanating from the Gillen Review around the responsibilities of jurors including a similar recommendation about giving directions to rape trial jurors (an issue which was also previously noted by CJINI).  It is proposed that these will be combined and work on a single consultation on a range of juror proposals could commence next year when other main policy priorities, such as sentencing review, the rough sex defence and strangulation have progressed.  It could be included in the legislative programme for the next mandate if the outcome of a consultation supports it. |
| **Operational Recommendations** | | **Department of Justice Action Plan** |
| 1. The Department of Justice, in consultation with the Police Service of Northern Ireland and Public Prosecution Service, and after consideration of the experience in England and Wales, should re-examine the need for ***Slavery and Trafficking Risk Orders*** in Northern Ireland to prevent modern slavery and human trafficking -related crime and support victims within one year of the publication of this report. (Paragraph 2.48) | | The Department notes similar comments made by the Independent Anti-Slavery Commissioner in her annual report.  While it is not possible to commit to the timeframe for this recommendation, we have, through the draft 2021/22 Modern Slavery Strategy, which will be issued for public consultation before the end of October 2020, signalled our intention to engage with key stakeholders to consider the potential benefits and implications of introducing Slavery and Trafficking Risk Orders in Northern Ireland, based on evidence and experience from other jurisdictions. |
| 2. The Department of Justice, in consultation with the Police Service of Northern Ireland and Public Prosecution Service, should ***review the*** ***effectiveness of the Section 22*** defence to protect vulnerable victims, including particular reference to children, and its use in Northern Ireland within one year of the publication of the Independent Anti-Slavery Commissioner’s Review. (Paragraph 2.73) | | While we cannot commit to the timeframe for this recommendation, a review of the effectiveness of the section 22 defence will be included as part of the development of a longer term Modern Slavery Strategy. Related reviews and experiences of this issue elsewhere in the UK will be taken into account. |
| 6. The Department of Justice should ***review its guidance for applicants to the Northern Ireland Criminal Injuries Compensation Scheme 2009*** to clarify the advice regarding National Referral Mechanism status within three months of the publication of this report. The Department of Justice should also consult with relevant stakeholders and victims’ groups to see what more can be done to overcome the barriers facing modern slavery and human trafficking victims in making application for criminal injuries compensation as part of its review of the Northern Ireland Scheme. (Paragraph 3.167) | | Compensation Services within the Department of Justice has made the necessary amendments to the Human Trafficking leaflets and these leaflets are now available on their website.  It is important that the Modern Slavery Strategy incorporates work-streams that meet the needs of victims of modern slavery and human trafficking, and the NGO engagement group play a central role in this. A facilitated engagement event between relevant NGOs and representatives of the Department’s Compensation Services, is planned to take place before the end of 2020. This will explore the specific issues regarding victims’ access to the criminal injuries compensation scheme. Any agreed further work-streams will be incorporated into future Modern Slavery Strategies. |
| 8. The ***Northern Ireland Prison Service should implement training and awareness sessions for staff***, particularly those involved with reception and induction, Prisoner Development Units, Safer Custody and prisoner-facing landing staff, to increase awareness of the signs and indicators of modern slavery and human trafficking (Paragraph 2.234) | | Home Office Immigration Officers based within NIPS have offered to complete this training for NIPS staff as part of Initial Induction, as well as to specific groups of staff such as PDU, Visits etc. They intend to start delivery of this training by the end of the 2020. |
| **Areas for Improvement** | **Department of Justice Action Plan** | |
| 1. The Department of Justice should immediately ***progress the policy and implementation of the Duty to Notify legislation***. (Paragraph 2.51) | While we cannot commit to a timeframe for this recommendation, an examination of the Duty to Notify policy and legislation will be included as part of a review of our approach to Modern Slavery, which will be taken forward in the development of a longer term Modern Slavery Strategy. Related experiences of this issue elsewhere in the UK will be taken into account. | |
| 2. The Department of Justice ***should immediately progress its review of the law on child sexual exploitation***. (Paragraph 2.76) | The Department intends to publish a summary of responses to the consultation on the Review of the Law on Child Sexual Exploitation in October.  The summary will also give a clear outline of the Department’s intention on each of the 14 areas of criminal law considered in the review. | |
| 3. The Department of Justice should **consider the involvement of organisations supporting child victims** as members of the Human Trafficking Engagement Group. (Paragraph 2.97) | Consideration will be given to the most appropriate means of giving effect to this recommendation in conjunction with colleagues from the Health and Social Care Board who lead on providing support for child victims of human trafficking. | |
| 4. The Department of Justice should **re-examine its arrangements for engagement with sex workers.** (Paragraph 2.98) | The Department will examine arrangements for engagement with organisations representing or working with sex workers. | |