

FROM THE OFFICE OF THE JUSTICE MINISTER



Department of
Justice

An Roinn Dlí agus Cirt

Máinnystrie O tha Laa

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Kathy O'Hanlon
Clerk to the Justice Committee
Northern Ireland Assembly
Parliament Buildings
Stormont
Belfast BT4 3XX

13 February 2025
Our ref: JCP\25\30

Dear Kathy,

JUSTICE BILL AMENDMENT: REPEAL OF VAGRANCY LEGISLATION: REQUEST FOR ADDITIONAL INFORMATION

Thank you for your letter of 31 January 2025 in which you requested additional information on the repeal of vagrancy legislation proposals. The relevant information is provided below.

Organised Crime

On 10 July 2024 the Department published the Modern Slavery and Human Trafficking Strategy 2024-2027. This three-year Strategy includes commitments and actions to increase public awareness of modern slavery and human trafficking in Northern Ireland and strengthen the knowledge base of frontline professionals in identifying and reporting potential victims.

The Department regularly engages with key partners across statutory and non-statutory bodies via the Organised Crime Task Force (OCTF) Modern Slavery and Human Trafficking Sub-Group and the NGO Engagement Forum. During engagement

sessions, organised begging has not been raised by partners, including police, as an area of concern in respect of exploitation.

Nor was organised or coerced begging raised as an area of concern by the police during the Department's review of vagrancy legislation. The only gap in provision identified was 'simple begging'. However, the Committee was concerned that, in the absence of any replacement legislation if the existing begging offence is repealed, those being coerced to beg might not come to police attention. Conversations with PSNI have confirmed that should an incident of begging be reported, police will respond to determine the circumstances of the incident and of the person involved. It will not be ignored. However, given existing resourcing pressures on police operations, in line with current policing practice, the response to any report will continue to be prioritised according to resources available. Should, in the future, the police find any evidence of organised or coerced begging, the coerced person will be referred to the appropriate support.

Under section 18 of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015 ('the 2015 Act'), the Department has a responsibility to provide assistance and support to victims and potential victims of slavery or trafficking, including those who may be exploited through organised begging. Individuals who have been identified as potential victims of slavery or trafficking are referred by a first responder organisation to the National Referral Mechanism (NRM), subject to their consent, and offered assistance and support from our contracted victim care providers, Migrant Help and Belfast & Lisburn Women's Aid.

Assistance and support may include, but is not limited to, safe accommodation, translation services, support in accessing health care and legal advice, and material assistance.

Members may also wish to note that section 1 (*Slavery, servitude and forced or compulsory labour*) and section 2 (*Human Trafficking*) of the 2015 Act are available to



prosecute those who are found to have forced persons to beg or who have arranged or facilitated the travel of others with a view to those persons being exploited.

Council Powers

Sections 90 to 94 of the [Local Government Act \(Northern Ireland\) 1972](#) contain an enabling power that permits Councils to make bye-laws. Section 90 provides that:

A council may make bye-laws in accordance with the succeeding provisions of this Part—

(a) for the good rule and government of the whole or any part of its district;

(b) for the prevention and suppression of nuisances in its district;

(c) for any purpose for which bye-laws may be made by it under any other transferred provision.

Under section 91, these bye-laws will not have effect unless confirmed by the Department concerned.

Members may wish to note that the [Belfast City Council \(City Hall Grounds\) Bye-laws 1997](#) prohibit a range of activities, including begging, in the grounds of the Belfast City Hall.

Update on the outcome of the public consultation

To date, 10 responses to the consultation have been received. As requested by the Committee, the Department has invited the Belfast and Londonderry Chambers of Commerce and the Northern Ireland Chamber of Commerce and Industry to let us have their views on the proposals for repeal set out in the consultation. All responses will be analysed and, once agreed with the Minister, a report on a summary of responses and next steps will be issued to the Committee.



**DAVID GRAHAM
DALO**



**Northern Ireland Assembly
Committee for Justice**

David Graham
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31 January 2025

Justice Bill

Dear David

At its meeting on 23 January 2025, the Committee for Justice received evidence from Departmental officials on the proposed amendments to the Justice Bill, which relate to the reform of rehabilitation periods, repeal of vagrancy legislation, and live links for courts and tribunals.

During the evidence session, the officials agreed to provide the following:

- information on work that the Department is doing to tackle organised crime, particularly with regard to the issues discussed during the evidence session;
- information on the powers and options that will be available to councils should there be an increase in begging, including organised begging, following the repeal of vagrancy legislation; and
- an update on the outcome of the public consultation on the repeal of vagrancy legislation.

The Committee also asked that the Department of Justice engages with the Belfast Chamber of Commerce, the Londonderry Chamber of Commerce and the Northern Ireland Chamber of Commerce regarding the repeal of vagrancy legislation,

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in the absence of any specific response from these organisations to the public consultation.

I would appreciate a response by 14 February 2025.

Yours sincerely

Kathy O'Hanlon

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