



Your Ref:
Our Ref: MS/1 M/L 16411
Date: 18 October 2013
Being dealt with by: Chief Executive's Dept
Email: daniel.mcsorley@omagh.gov.uk

The Committee Clerk
Room 242
Parliament Buildings
Ballymiscaw
Stormont
BELFAST
BT4 3XX

Dear Sir/Madam

RE: Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill

I am writing on behalf of Omagh District Council in response to the consultation on the Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill.

At the Council meeting of Tuesday 1 October 2013, the following motion was unanimously supported by Omagh District Council:-

"This Council:

- 1. Recognises that human trafficking and exploitation is a growing problem in Northern Ireland*
- 2. Believes that existing statistics regarding the number of people trafficked in to Northern Ireland do not reflect the scale of the problem and are only the "tip of the iceberg" in regard to the scale of the problem*
- 3. Believes that no human being should be subjected to: sexual exploitation, enforced labour or domestic servitude and condemns those who engage in human trafficking*
- 4. Believes that more action should be undertaken to support those who have escaped from exploitation and to punish those who exploit them and, accordingly*
- 5. Calls upon the Northern Ireland Assembly to endorse the Human Trafficking and Exploitation (Further Provision and Support for Victims) Bill"*

Members agreed that legislation is required to deal with the atrocious crimes this Bill relates to, particularly those involving young children. In general the Council is content with the Bill as outlined. The importance of Clause 6 of the Bill was emphasised by Members as it was felt extremely important to providing appropriate protection for vulnerable victims.

As requested in the consultation, the Council wishes to make the following comments on the individual Clauses:-

Clause 1 – The clarity of what is meant by a human trafficking offence is welcome and the extension of the Bill to include slavery offences is appropriate

Clause 2 – The list of factors outlined which makes evidence of consent or agreement irrelevant is welcome, particularly given the number of victims who are children

Clause 3 – The inclusion of aggravating factors in determining judiciary sentences is appropriate and sentencing up to 14 years depending on the nature of the offence and the aggravating factors is also appropriate

Clause 4 – Minimum sentencing which reflects the seriousness of human trafficking and slavery offences is a required deterrent for offenders or potential offenders

Clause 5 – the amendment to include additional definition, including forced begging involving children is welcome

Clause 6 – it is noted that the single biggest driver for trafficking to Northern Ireland is the demand for paid sex, so it is important that significance is given to dealing with this offence in the legislation. It is also noted that best practice approaches in Sweden and Norway relating to criminalising the paying for sex have been investigated to help inform the development of this clause. The inclusion of 'exploitation' in the Bill is also welcome

Clause 7 – it is appropriate to include a statutory provision to ensure adequate resources are available to provide for effective training and tools for investigation or prosecution of human trafficking offences

Clause 8 – it is appropriate and necessary to include this clause to ensure victims suffer no further detrimental impact from prosecution or penalties following their ordeal of committing a crime under duress

Clause 9 - to avoid ambiguity, the definition of a 'victim' is welcome

Clause 10 – it is appropriate to secure in the legislation the obligations of Government to supporting victims and to clearly list the types of assistance that should be provided to victims

Clause 11 – the stipulation of schemes of compensation for victims and procedures to accessing same are necessary and welcome

Clause 12 – As outlined in this clause, the proposal to put in place child trafficking guardians to safeguard a child's best interests as quickly as possible following a child being identified as being a possible victim of trafficking is an absolute requirement

Clause 13 – the provision of ensure special treatment for victims of trafficking during police investigations is appropriate and crucial to the effectiveness of the Bill

Clause 14 – the provision of protection and support for victims during criminal proceedings against traffickers is crucial to the Bill being effective

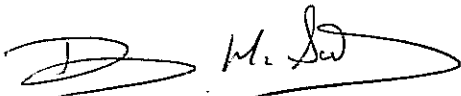
Clause 15 – the recommendation that the Department of Justice would statutorily be required to annually publish a strategy on raising awareness and reducing trafficking and slavery offences is noted

Clause 16 – the proposal that the Department of Justice would be required to establish a new body, independent of government to report to the Assembly on the performance of the Bill and other related matters is noted

In conclusion, Omagh District Council support the proposed 'Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill', viewing it as a necessary piece of legislation required to ensure that this vulnerable group in our society are appropriately protected.

On behalf of Omagh District Council, I wish to thank you for the opportunity to respond to this consultation and we eagerly await the outcome of the consultation.

Yours sincerely

A handwritten signature in black ink, appearing to read 'D McSorley', with a large, sweeping flourish extending to the right.

D McSORLEY
Chief Executive