



**Policy and Information Unit  
Public Prosecution Service  
Belfast Chambers  
93 Chichester Street  
Belfast BT1 3JR**

FOI 3100-18/19

Email: [REDACTED]

13 February 2019

Dear [REDACTED]

I refer to your email of 15 January 2018 in which you asked for further information on the number of prosecutions / convictions / cases pending relating to the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015 and offences related to Article 64A of the Sexual Offences (Northern Ireland) Order 2008.

Your request has been dealt with under the terms of the Freedom of Information Act 2000.

#### **Freedom of Information Act 2000**

The Freedom of Information Act creates rights of access for any person making a request for information to a public authority. The rights of access are twofold. First, to be informed by the public authority if it holds information of the description specified in the request, and if that is the case, secondly, to be provided with that information. These rights are subject to important limitations, which are designed to achieve a proper balance between the right to know and considerations of law and policy in the broader public interest.

You had asked for the following:

*"I was told that because Section 15 (Paying for sexual services of a person) of the Human Trafficking and Exploitation Act (Northern Ireland) 2015 amends Article 64A of the Sexual Offences (Northern Ireland) Order 2008, it was therefore not included in this response.*

*I ask that the information I had requested in regards to the 2015 Act, also extend to any cases which pertain to Article 64A of the Sexual Offences (Northern Ireland) Order 2008."*

1) The number of prosecutions and convictions, or any other official action, which have been made under this law since it was enacted.

2) The number of cases pending.

If possible, for this to include:

- relevant dates relating to each case,
- age, sex, and nationality of the accused/convicted,
- brief detail of any sentence or other outcome of the trial (e.g. length of sentence, if suspended, placed on the Sex Offender Register or something similar, etc.),
- the category of work the trafficked people were involved in/what the case relates to.

### Response

Further to the data previously provided in the FOI response issued on 10/1/2019, I can advise that between 2015 and 2018, 10 persons were prosecuted and 8 persons received diversions in respect of offences under the Human Trafficking and Exploitation (Criminal Justice and Support for Victims Act (Northern Ireland) and offences under Article 64A of the Sexual Offences (Northern Ireland) Order 2008. A list of the offences considered is detailed at **Annex A**.

An analysis of the age, gender and nationality of the 18 defendants is set out below. As this is supplementary to information provided in the FOI response previously issued, the age and nationality categories have been amended to prevent disclosure through the combination of both sets of data.

### Age, Gender and Nationality of Defendants

Defendant Age	Number of Persons
18-29	8
30-70	10
Defendant Gender	Number of Persons
Male	15
Female	3
Defendant Nationality	Number of Persons
Northern Ireland	5
Romania	4
Other**	9

Note: Defendant Age is based on the age at the time of the offence.

\*\* Other includes; Hungary, Irish Republic, Syria and Turkey.

The outcomes in respect of these defendants in the Crown and Magistrates Court were as follows:

**Crown Court Outcomes between 1 January 2015 and 11 December 2018**

<b>Calendar Year - Date Disposed of at Crown Court or Magistrates Court</b>	<b>Mixed Outcome (Convicted of at least one offence)</b>	<b>Pleaded Not Guilty All, Found Not Guilty All</b>
<b>2018</b>	<b>4</b>	<b>3</b>

It should be noted that:

- 3 (of the 10) defendants directed for prosecution have not yet been disposed of at court.
- As of 23 January 2019, a decision is pending for a further 6 persons.

Information has previously been provided in respect of the categories of work in which the persons trafficked were involved.

Please note that the following information cannot be provided:

- Dates requested (i.e. year of decision): This is due to the small numbers involved and the risk of disclosure of individual identities.
- Sentencing data: Whilst this information is shared with PPS by the Northern Ireland Courts and Tribunals Service (NICTS), it is not possible to extract this information from the PPS Case Management System in a form that can be reported accurately. You may wish to contact NICTS directly.

If you are dissatisfied in any way with the handling of your request, you have the right to request a review in accordance with our review procedure. You should do this as soon as possible or in any case within two months of the date of this response and you can do so by writing to the Head of Policy and Information, Public Prosecution Service, Belfast Chambers, 93 Chichester Street, BELFAST, BT1 3JR or alternatively by sending an e-mail to [info@ppsni.gov.uk](mailto:info@ppsni.gov.uk). You should state clearly the grounds on which you are requesting the review.

Alternatively, you may wish to apply directly to the Information Commissioner for a decision.

The Information Commissioner can be contacted at:

Information Commissioner's Office

Wycliffe House

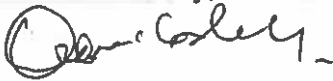
Water Lane

Wilmslow

Cheshire

SK9 5AF

Yours sincerely,



PPS FOI Section

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## Annex A

### Offences Considered - Human Trafficking and Exploitation (Criminal Justice and Support for Victims Act (Northern Ireland) 2015 and Article 64A of the Sexual Offences (Northern Ireland) Order 2008

Complaint Offence Description	Complaint Offence Legislation
HOLDING A PERSON IN SLAVERY OR SERVITUDE	Section 1(1)(a) and (6) of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015
REQUIRING A PERSON TO PERFORM FORCED OR COMPULSORY LABOUR	Section 1(1)(b) and (6) of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015
ARRANGING OR FACILITATING TRAVEL OF ANOTHER WITH A VIEW TO EXPLOITATION	Section 2 of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015
COMMITTING AN OFFENCE WITH INTENT TO COMMIT A SLAVERY OR HUMAN TRAFFICKING OFFENCE	Section 4(1) of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015
FORCING ANOTHER PERSON TO ENTER INTO MARRIAGE	Section 16(1) of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015
HUMAN TRAFFICKING	Section 2(1) of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015
COMMITTING AN OFFENCE OF KIDNAPPING OR FALSE IMPRISONMENT WITH INTENT TO COMMIT A SLAVERY OR HUMAN TRAFFICKING OFFENCE	Section 4(1) and (3) of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015
PAYING FOR SEXUAL SERVICES OF A PROSTITUTE SUBJECTED TO EXPLOITATIVE CONDUCT (Offence substituted/repealed from 1.6.15)	Article 64A of the Sexual Offences (Northern Ireland) Order 2008
ATTEMPTING TO PAY FOR SEXUAL SERVICES OF A PERSON	Article 64A of the Sexual Offences (NI) Order 2008 and Article 3(1) of the Criminal Attempts and Conspiracy (NI) Order 1983
PAYING FOR THE SEXUAL SERVICES OF A PERSON (In force from 1 June 2015)	Article 64A(1)(a) of The Sexual Offences (Northern Ireland) Order 2008
PAYMENT FOR THE SEXUAL SERVICES OF A PERSON BY A THIRD PARTY (In force from 1 June 2015)	Article 64A(1)(b) of The Sexual Offences (Northern Ireland) Order 2008
PAYING FOR SEXUAL SERVICES OF A PERSON	Article 64A of the Sexual Offences (Northern Ireland) Order 2008