



# House of Commons

Thursday 4 September 2014

## PUBLIC BILL COMMITTEE

*New Amendments handed in are marked thus ★*

☆ *Amendments which will comply with the required notice period at their next appearance*

### MODERN SLAVERY BILL

#### NOTE

The Amendments have been arranged in accordance with the Order of the Committee [21 July 2014].

Fiona Mactaggart  
Diana Johnson  
Mr David Hanson  
Phil Wilson

Page 2, line 1, leave out Clause 2.

44

Diana Johnson  
Mr David Hanson  
Phil Wilson  
Sarah Champion

Clause 3, page 3, line 16, at end insert—

“(d) is in a situation where their employment could reasonably be constituted as slavery, wherever in the world they are employed, if their employment is related to services or goods for sale in the UK”.

54

Mr David Burrowes

Clause 3, page 3, line 19, leave out from “(5)” to the end of line 20 and insert—  
“where”—

***Member’s explanatory statement***

*The amendment removes the burden on the prosecution to demonstrate that an offender chose the*

31

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**Modern Slavery Bill, continued**

*victim because of his or her particular vulnerability.*

- Karen Bradley 1
- Clause 3, page 3, line 21, after “she”, insert “is a child,”  
***Member’s explanatory statement***  
*This amendment, together with amendments 2, 3 and 4, relate to the definition of groups who can be exploited without force, threats or deception because they were selected due to particular vulnerability. The amendments apply this to a child rather than a young person, and are intended as a clarification.*
- Karen Bradley 2
- Clause 3, page 3, line 21, leave out “is young”
- Mr David Burrowes 32
- Clause 3, page 3, line 21, leave out “young” and insert “a child”  
***Member’s explanatory statement***  
*The amendment removes the burden on the prosecution to demonstrate that an offender chose the victim because of his or her particular vulnerability and clarifies that this section applies to children under the age of 18.*
- Karen Bradley 3
- Clause 3, page 3, line 23, at beginning insert “an adult, or”
- Mr David Burrowes 33
- Clause 3, page 3, line 23, leave out “a person” and insert “an adult”  
***Member’s explanatory statement***  
*The amendment is consequential on inserting a specific reference to a child in this subsection.*
- Karen Bradley  
 Mr David Burrowes 4
- Clause 3, page 3, line 23, leave out “youth”  
***Member’s explanatory statement***  
*The amendment is consequential on inserting a specific reference to a child in this subsection.*
- Mr David Burrowes 35
- Clause 3, page 3, line 24, at end insert—  
 “(7) In this section—  
     “child” means any person below 18 years of age;  
     “services” or “benefits of any kind” can include forced begging or criminal activities.”  
***Member’s explanatory statement***  
*The amendment clarifies the definition of a child and some of the types of behaviour which can be included under the clause.*

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**Modern Slavery Bill, continued**

Fiona Mactaggart  
Diana Johnson  
Mr David Hanson  
Phil Wilson

Page 2, line 27, leave out Clause 3.

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45

Fiona Mactaggart

Page 3, line 25, leave out Clause 4.

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46

Fiona Mactaggart

Clause 5, page 4, line 3, at end insert—

“(3A) A person guilty of an offence under section (Procuring sex for payment) is liable on summary conviction, to imprisonment for a term not exceeding 12 months or a fine or both.”

64

Fiona Mactaggart

Page 3, line 31, leave out Clause 5.

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47

Fiona Mactaggart

Page 4, line 7, leave out Clause 6.

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48

Karen Bradley

Clause 10, page 6, line 34, leave out paragraph (d) and insert—

“(d) the reference in section 133(3)(c)(iii) to a slavery and trafficking reparation order under section 8 were to a compensation order under section 130 of that Act;”

5

***Member’s explanatory statement***

*This amendment is consequential on the amendment to section 133(3)(c) of the Powers of Criminal Courts (Sentencing) Act 2000 made by paragraph 9D of Schedule 4 (as inserted by amendment 25).*

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**Modern Slavery Bill, *continued***

Mr David Hanson  
Diana Johnson  
Phil Wilson

Clause 11, page 8, line 25, leave out “or ought to have known”

70

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Mr David Hanson  
Diana Johnson  
Phil Wilson

Clause 12, page 8, line 34, leave out ‘senior’

66

Mr David Hanson  
Diana Johnson  
Phil Wilson

Clause 12, page 9, line 17, leave out subsection (7).

67

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Karen Bradley

Clause 13, page 9, line 23, after “waters” insert “or in international waters that do not form part of the territorial sea of any State”

6

***Member’s explanatory statement***

*This amendment enables law enforcement officers to exercise enforcement powers in relation to stateless vessels in international waters that do not form part of the territorial sea of any State, where a modern slavery offence is suspected.*

Mr David Hanson  
Diana Johnson  
Phil Wilson

Clause 13, page 9, line 44, at end add—

28

“(6A) The Secretary of State shall set out in a published memorandum how the authority under subsection (3) is to be exercised.”

Mark Durkan

Clause 13, page 10, line 4, at end add—

58

“(7A) The Secretary of State shall, by way of regulations—

- (a) establish means to ensure that trends in maritime trafficking and forced labour in the UK and international waters are identified and tracked;
- (b) establish means to ensure that intelligence and information on maritime trafficking and forced labour are communicated to the enforcement officers set out in this provision;

**Modern Slavery Bill, *continued***

- (c) establish means to ensure that co-ordination and intelligence sharing in relation to maritime trafficking and forced labour occurs between the agencies responsible for the enforcement officers as set out in this provision;
- (d) establish means to ensure that enforcement officers set out in this provision are aware of their responsibilities to potential and actual victims of trafficking and forced labour;
- (e) receive bi-annual reports from the agencies responsible for the enforcement officers in relation to their attempts to identify and disrupt maritime trafficking and forced labour, and to assist the victims.”

Mark Durkan

Clause 13, page 10, line 11, at end add “ and all territorial waters of the United Kingdom including its dependencies and territories.” 57

Mr David Hanson  
Diana Johnson  
Phil Wilson

Clause 13, page 11, line 3, at end insert— 27  
“(10) The Secretary of State must submit a report annually to Parliament on the use of sections 11, 12 and 13 of this Act in the previous 12 months.”

Mr David Hanson  
Diana Johnson  
Phil Wilson

Schedule 1, page 33, line 18, at end insert— 69  
“(3A) Any person refusing to disclose such information shall be guilty of an offence and shall be liable on conviction to a fine not exceeding level 5 on the standard scale, or imprisonment for up to six months.”

Mr David Hanson  
Diana Johnson  
Phil Wilson

Clause 16, page 12, line 12, after “satisfied”, insert “beyond reasonable doubt” 76

Mr David Hanson  
Diana Johnson  
Phil Wilson

Clause 16, page 12, line 26, at end add “or 68

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**Modern Slavery Bill, continued**

- (c) who the chief officer believes has been to it previously or had connections with the area.”

Karen Bradley

7

Clause 20, page 15, line 17, at end insert—

- “( ) where the order was made on an application under section 16 by the Director General of the National Crime Agency (“the Director General”), the Director General.”

**Member’s explanatory statement**

*This amendment enables the Director General of the National Crime Agency to apply to the appropriate court to vary, renew or discharge a slavery and trafficking prevention order.*

Karen Bradley

8

Clause 20, page 15, line 24, after “defendant” insert “or require the defendant to comply with section (*Slavery and trafficking prevention orders: requirement to provide name and address*)(3) to (6)”

**Member’s explanatory statement**

*This amendment provides that a slavery and trafficking prevention order may be varied to require the defendant to provide details of his or her name and address if the tests in clause 20(4) are met.*

Karen Bradley

9

Clause 20, page 15, line 32, at end insert—

- “(b) may require the defendant to comply with section (*Slavery and trafficking prevention orders: requirement to provide name and address*) (3) to (6) only if the court is satisfied that the requirement is necessary for that purpose.”

**Member’s explanatory statement**

*This amendment provides that a renewed or varied slavery and trafficking prevention order may require the defendant to provide details of his or her name and address only if the court is satisfied it is necessary for the purpose in clause 20(4)(b).*

Mr David Hanson  
Diana Johnson  
Phil Wilson

77

Clause 20, page 15, line 24, after “satisfied”, insert “beyond reasonable doubt”

Karen Bradley

10

Clause 20, page 16, line 1, leave out from beginning to “to” in line 2 and insert “Where an immigration officer or the Director General makes an application under this section, the officer or the Director General must give notice of the application”

**Member’s explanatory statement**

*This amendment requires the Director General of the National Crime Agency to notify the relevant chief officer of police of an application by the Director General to vary, renew or discharge a slavery and trafficking prevention order.*

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**Modern Slavery Bill, continued**

Karen Bradley

Clause 20, page 16, line 4, after “officer” insert “or the Director General”

11

*Member’s explanatory statement*

*This amendment is consequential on amendment 10.*

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Mr David Hanson

Diana Johnson

Phil Wilson

Clause 21, page 16, line 37, leave out “it just” and insert “there is sufficient evidence”

78

Karen Bradley

Clause 21, page 16, line 42, at end insert—

12

“(5A) The order may (as well as imposing prohibitions on the defendant) require the defendant to comply with subsections (3) to (6) of section (*Slavery and trafficking prevention orders: requirement to provide name and address*).

If it does, those subsections apply as if references to a slavery and trafficking prevention order were to an interim slavery and trafficking prevention order.”

*Member’s explanatory statement*

*This amendment enables an interim slavery and trafficking prevention order to require the defendant to provide details of his or her name and address.*

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Mr David Hanson

Diana Johnson

Phil Wilson

Clause 23, page 17, line 35, leave out “an” and insert “a senior”

80

Mr David Hanson

Diana Johnson

Phil Wilson

Clause 23, page 17, line 40, after first “a” insert “sufficiently serious”

79

Sarah Teather

☆ Clause 23, page 18, line 2, at end insert—

87

“(2A) An order will be “necessary” for the purposes of subsection (2)(b) where—

- (a) there is insufficient evidence to bring a prosecution, but there is clear evidence of future risk of commission of trafficking or slavery offences,
- (b) the defendant(s) have been convicted of offences linked to trafficking or slavery overseas (but not an equivalent overseas offence under section 17(4)) and where there is evidence of a future risk of offending involving slavery or trafficking,

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**Modern Slavery Bill, *continued***

- (c) the defendant(s) have been charged, but not convicted of a slavery or trafficking offence, and protection from the risk of the commission of a slavery or trafficking offence cannot be achieved by bail conditions alone, or
- (d) the defendant(s) are part of or affiliated with a group or organisation engaged in slavery or trafficking offences and whose core offenders are currently being prosecuted.’

Mr David Hanson  
Diana Johnson  
Phil Wilson

81

Clause 24, page 18, line 30, after “satisfied”, insert “beyond reasonable doubt”

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Karen Bradley

13

Clause 26, page 19, line 42, at end insert—  
“( ) where the order was made on an application by the Director General of the National Crime Agency (“the Director General”), the Director General.”

***Member’s explanatory statement***

*This amendment enables the Director General of the National Crime Agency to apply to the appropriate court to vary, renew or discharge a slavery and trafficking risk order.*

Karen Bradley

14

Clause 26, page 20, line 5, after “defendant” insert “or require the defendant to comply with section (*Slavery and trafficking risk orders: requirement to provide name and address*)(3) to (6)”

***Member’s explanatory statement***

*This amendment provides that a slavery and trafficking risk order may be varied to require the defendant to provide details of his or her name and address if the tests in clause 26(4) are met.*

Karen Bradley

15

Clause 26, page 20, line 13, at end insert—  
“(b) may require the defendant to comply with section (*Slavery and trafficking risk orders: requirement to provide name and address*)(3) to (6) only if the court is satisfied that the requirement is necessary for that purpose.”

***Member’s explanatory statement***

*This amendment provides that a renewed or varied slavery and trafficking prevention order may require the defendant to provide details of his or her name and address only if the court is satisfied it is necessary for the purpose in clause 26(4)(b).*

Karen Bradley

16

Clause 26, page 20, line 20, leave out from beginning to “to” in line 21 and insert “Where an immigration officer or the Director General makes an application under this section, the officer or the Director General must give notice of the application”

***Member’s explanatory statement***



**Modern Slavery Bill, continued**

*This amendment requires the Director General of the National Crime Agency to notify the relevant chief officer of police of an application by the Director General to vary, renew or discharge a slavery and trafficking risk order.*

Karen Bradley

17

Clause 26, page 20, line 23, after “officer” insert “or the Director General”

**Member’s explanatory statement**

*This amendment is consequential on amendment 16.*

Karen Bradley

18

Clause 27, page 21, line 15, at end insert—

“(5A) The order may (as well as imposing prohibitions on the defendant) require the defendant to comply with subsections (3) to (6) of section (*Slavery and trafficking risk orders: requirement to provide name and address*).

If it does, those subsections apply as if references to a slavery and trafficking risk order were to an interim slavery and trafficking risk order.”

**Member’s explanatory statement**

*This amendment enables an interim slavery and trafficking risk order to require the defendant to provide details of his or her name and address.*

Karen Bradley

19

Clause 29, page 22, line 8, after “19(4)” insert “or 25(4) (requirement to surrender passports)”

**Member’s explanatory statement**

*This amendment is consequential on amendment 20 and is rearranging existing provision in the Bill (relating to the offence of failing to surrender a passport) without changing its effect.*

Karen Bradley

20

Clause 29, page 22, line 9, leave out “25(4)” and insert “(*Slavery and trafficking prevention orders: requirement to provide name and address*)(1)”, 21(5A), (*Slavery and trafficking risk orders: requirement to provide name and address*)(1) or 27(5A) (*requirement to provide name and address*)”

**Member’s explanatory statement**

*This amendment makes it an offence for a defendant to fail to give notification of the defendant’s name or address where this requirement has been imposed as a part of a slavery and trafficking prevention or risk order (or an interim order).*

Mr David Hanson  
Diana Johnson  
Phil Wilson

82

Clause 29, page 22, line 14, leave out from “fine” to end of line.

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**Modern Slavery Bill, *continued***

Mr David Hanson  
Diana Johnson  
Phil Wilson

Clause 29, page 22, line 18, leave out from “(3)(b)” to end of line 20. 83

Mr David Hanson  
Diana Johnson  
Phil Wilson

Clause 29, page 22, line 20, at end add— 84  
“(6) The court may refer to the crown court any matter relating to the order for consideration of action by the said court under Part 2 of the Proceeds of Crime Act 2002.”

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Mr David Hanson  
Diana Johnson  
Phil Wilson

Clause 32, page 23, line 2, after “guidance”, insert “no later than within one month of this Act obtaining Royal Assent.” 85

Mr David Hanson  
Diana Johnson  
Phil Wilson

Clause 32, page 23, line 8, after “published”, insert “in both Houses of Parliament and” 86

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Mark Durkan

Page 24, line 18, leave out Clause 34. 55

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Diana Johnson  
Mr David Hanson  
Phil Wilson

Clause 35, page 25, line 1, at end insert— 50  
“(c) the support offered to victims, including but not limited to, the operations of any Government agency and support offered in accordance with section 41 and section 42,  
(d) any other area which the Commissioner feels is relevant to identifying and preventing human trafficking in the UK or elsewhere.”.

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**Modern Slavery Bill, *continued***

Diana Johnson  
Mr David Hanson  
Phil Wilson

51

Clause 35, page 25, line 4, leave out “permitted matter” and insert “matter pertinent to the prevention of human trafficking and forced labour in the UK or elsewhere”.

Diana Johnson  
Mr David Hanson  
Phil Wilson

52

Clause 35, page 25, line 13, leave out subsection (3) and insert—

“(3) Apart from under subsection (5), the Secretary of State must not take steps or impose measures that may impair, or may appear to impair the Commissioner’s independence and shall ensure that the Commissioner is, to the extent the Commissioner is able, to determine, without limitation (other than as prescribed in this Act)—

- (a) the Commissioner’s activities;
- (b) the Commissioner’s timetables;
- (c) the Commissioner’s priorities, and
- (d) the Commissioner’s resources and funding.”.

Mark Durkan

56

Page 24, line 38, leave out Clause 35.

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Mark Durkan  
Sarah Teather

71

Clause 39, page 27, line 9, after “act”, insert “or the person is a child”

Mark Durkan  
Sarah Teather

72

Clause 39, page 27, line 10, after “compulsion”, insert “or, in the case of a child, the illegal act”

Mark Durkan  
Sarah Teather

74

Clause 39, page 27, line 11, leave out paragraph (c)

Diana Johnson  
Mr David Hanson  
Phil Wilson

53

Clause 39, page 27, line 13, at end insert—

“(9) Once the defence set out in subsection (1) is raised by the accused or on his or her behalf, or the court of its own volition or on hearing submissions from any party

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**Modern Slavery Bill, *continued***

decides that such a defence should be considered by the court, the burden of proving that the offence was not committed as a direct and immediate response of him or her being a victim as set out in subsection (1) shall lie upon the prosecution.”.

Sarah Teather

- 88**
- ☆ Clause 39, page 27, line 14, leave out from “characteristics” to end of line 15 and insert “shall include, but not be limited to, age, family relationships, disability, position of dependency, language skills, ethnicity, national origin, religious background, and any mental or physical illness.”

Mark Durkan  
Sarah Teather

- 73**
- Clause 39, page 27, line 18, after “compulsion”, insert “or in the case of a child, the illegal act”

Mark Durkan

- 75**
- Clause 39, page 27, line 27, leave out subsection (7)

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Sarah Teather

- 89**
- ☆ Schedule 3, page 38, line 15, leave out paragraph 14.

Sarah Teather

- 90**
- ☆ Schedule 3, page 38, line 30, leave out paragraphs 16 and 17.

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Mr David Burrowes  
Sarah Teather

- 42**
- Clause 41, page 28, line 2, leave out “may” and insert “must”

Mark Durkan  
Sarah Teather

- 63**
- Clause 41, page 28, line 2, after “arrangements”, insert “to set up an independent body known as the child trafficking advocacy service”

Sarah Teather

- 91**
- ☆ Clause 41, page 28, line 3, after “advocates”, insert “and separated children advocates”

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**Modern Slavery Bill, *continued***

Sarah Teather

92

☆ Clause 41, page 28, line 4, after “trafficking”, insert “and all separated children”

Mr David Burrowes

99

★ Clause 41, page 28, line 4, at end insert “or slavery if the person who has parental responsibility for the child fulfils any of the conditions in subsection (1D).

- (1A) The child trafficking advocate will act in the best interest of the child and be appointed as soon as any public authority or relevant body has a reasonable suspicion to believe the child is such a victim.
- (1B) The child trafficking advocate will have powers to appoint and instruct legal representatives on behalf of the child in all matters relevant to the interest of the child.
- (1C) The child trafficking advocate shall at a minimum have responsibilities to—
  - (a) advocate that all decisions relating to the child are made in the child’s best interest;
  - (b) ascertain the child’s wishes and feelings in relation to those decisions;
  - (c) advocate for the child to receive appropriate care, safe accommodation, medical treatment, including psychological assistance, education, translation and interpretation services are required;
  - (d) assist the child to access legal and other representation where necessary;
  - (e) consult with, advise and keep the child informed of legal rights;
  - (f) keep the child informed of all relevant immigration, criminal, compensation, community care, public law or other proceedings;
  - (g) contribute to identification of a plan to safeguard and promote a durable solution for the child based on an individual assessment of that child’s best interests;
  - (h) provide a link between the child and various statutory and other bodies who may provide services to the child, accompanying the child to any relevant meetings;
  - (i) assist in establishing contact with the child’s family, where the child so wishes and it is in the child’s best interest;
  - (j) liaise with all professionals handling the child’s case including immigration, police, social welfare, health, education and support services; and
  - (k) accompany the child wherever it is deemed appropriate to do so.
- (1D) Subsection (1) shall apply if the person who has parental responsibility for the child—
  - (a) is suspected of taking part in the trafficking of human beings;
  - (b) has another conflict of interest with the child;
  - (c) is not in contact with the child;
  - (d) cannot be identified;
  - (e) is in a country outside the United Kingdom; or
  - (f) is a local authority.
- (1E) A child trafficking advocate must have completed the training required in subsection (10) and may be—
  - (a) an employee of a statutory body except for an employee of a local authority;
  - (b) an employee of a recognised charitable organisation; or
  - (c) a volunteer for a recognised charitable organisation.

**Modern Slavery Bill, continued**

- (1F) A person discharging duties as a child trafficking advocate shall not discharge any other statutory duties in relation to a child for whom they are providing assistance under this section.
- (1G) The child trafficking advocate may request a public authority or relevant body to co-operate with them in any way that the advocate considers necessary and that is in the best interest of the child. A public authority or relevant body must so far as reasonably practicable comply with a request made to it under this section.
- (1H) In subsection (1G) a “relevant body” means a person or organisation—
- (a) which provides services to the child; or
  - (b) to which a child makes an application for services; or
  - (c) to which the child needs access in relation to being a victim of human trafficking; or
  - (d) any court or tribunal that a child engages with.
- (1I) The Secretary of State shall by order—
- (a) set out the arrangements for the appointment of a child trafficking advocate immediately after a child is identified as a potential victim of trafficking in human beings;
  - (b) set out requirements for the training courses to be completed before a person may exercise functions as a child trafficking advocate;
  - (c) set out the arrangements for the supervision of persons discharging duties as a child trafficking advocate;
  - (d) set out the arrangements for the provision of support services for persons discharging duties as a child trafficking advocate; and
  - (e) designate organisations as a “recognised charitable organisation” for the purpose of this section.
- (1J) A person’s appointment as a child trafficking advocate for a particular child under this section shall come to an end if—
- (a) the child reaches the age of 21; or
  - (b) a durable solution for the child has been found based on an individual assessment of the best interests of the child.”

**Member’s explanatory statement**

*The amendment provides for child trafficking advocates to be appointed for children who are believed to be victims of human trafficking and slavery so that their best interests are represented. The amendment sets out the minimum responsibilities of the advocates ensuring the advocates will have a strong and recognised statutory authority. The amendment includes the power for advocates to appoint and instruct the child’s legal representatives where appropriate.*

Mr David Burrowes

100

★ Clause 41, page 28, line 5, leave out subsections (2), (3), (4) and (5).

**Member’s explanatory statement**

*The amendment is consequential on amendment 99.*

Mark Durkan  
Sarah Teather

60

Clause 41, page 28, line 7, leave out “any person who” and insert “any organisation that”

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 Modern Slavery Bill, *continued*

Fiona Mactaggart  
 Michael Connarty  
 Sarah Teather  
 Sarah Champion  
 Mike Keane  
 Sir Andrew Stunell

Mark Durkan

Mr David Burrowes

98

- ☆ Clause 41, page 28, line 8, at end add “and who must act in the child’s best interests.”

***Member’s explanatory statement***

*The amendment makes clear that the fundamental duty of any child’s advocate is to act in the child’s best interests, including where a child is not able to identify or articulate their own best interest (for example, as a result of being groomed and/or exploited).*

Mark Durkan  
 Sarah Teather

61

Clause 41, page 28, line 8, at end insert—

“(2A) A child trafficking advocate may be an employee of—

(a) an independent statutory body; or

(b) a recognised charitable organisation.”

Sarah Teather

93

- ☆ Clause 41, page 28, line 11, after “advocates”, insert “and separated children advocates”

Sarah Teather

94

- ☆ Clause 41, page 28, line 14, after “advocate”, insert “or separated children advocate”

Sarah Teather

95

- ☆ Clause 41, page 28, line 15, after “advocate”, insert “or separated children advocate”

Sarah Teather

96

- ☆ Clause 41, page 28, line 17, after “advocates”, insert “or separated children advocates”

Mark Durkan  
 Sarah Teather

59

Clause 41, page 28, line 19, at end add—

- ‘(e) requiring advocates to act for the child when he lacks the legal capacity to do so and also ensure that other service providers act in his best interests and provide him with the necessary services and support to meet the Government’s obligations under the Council of Europe Convention and EU Anti-Trafficking Directive.’

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**Modern Slavery Bill, continued**

Sarah Teather

97

- ☆ Clause 41, page 28, line 19, after “advocates”, insert “or separated children advocates”

Mark Durkan  
Sarah Teather

62

- Clause 41, page 28, line 19, at end insert—  
“(4A) The Secretary of State must publish guidance that defines the role, functions and responsibilities of the child trafficking advocates.”

Fiona Mactaggart

65

- Schedule 4, page 43, line 21, at end insert—

*“Street Offences Act 1959*

- (10) Omit section 1.”

Karen Bradley

22

- Schedule 4, page 44, line 3, at end insert “, and  
(b) in paragraph (e) for “(da)” substitute “(db)””

***Member’s explanatory statement***

*This amendment makes a further amendment to the Sexual Offences (Amendment) Act 1992 in consequence of the amendment made to that Act by paragraph 4 of Schedule 4.*

Karen Bradley

23

- Schedule 4, page 44, line 12, leave out “paragraph” and insert “paragraphs 31(2)(b) and”

***Member’s explanatory statement***

*This amendment repeals a provision which is redundant in consequence of amendment 22.*

Karen Bradley

24

- Schedule 4, page 44, line 25, leave out from beginning to end of line 26 and insert—

- “( ) Part 1 of Schedule 1 to the Serious Crime Act 2007 (serious offences: England and Wales) is amended as follows.

- ( ) After paragraph 1 insert—

*“Slavery etc*

- 1A An offence under section 1 of the Modern Slavery Act 2014 (slavery, servitude and forced or compulsory labour).”

- ( ) In paragraph 2—”

***Member’s explanatory statement***

*This amendment amends the Serious Crime Act 2007 so that an offence under clause 1 will be a serious criminal offence for the purposes of Part 1 of that Act (power to make serious crime*



**Modern Slavery Bill**, *continued*

*prevention orders against a person who has been involved in serious crime).*

Karen Bradley

25

Schedule 4, page 45, line 2, at end insert—

*“Administration of Justice Act 1970 (c. 31)*

- 9A (1) The Administration of Justice Act 1970 is amended as follows.
- (2) In section 41(8) (enforcement of orders for compensation etc) for “or 13A” substitute “, 13A or 13B”.
- (3) In Part 1 of Schedule 9 (enforcement of orders for compensation etc) after paragraph 13A insert—
- “13B Where under section 8 of the Modern Slavery Act 2014 a court makes a slavery and trafficking reparation order.”

*Criminal Justice Act 1991 (c. 53)*

- 9B (1) Section 24 of the Criminal Justice Act 1991 (recovery of fines by deduction from certain benefits) is amended as follows.
- (2) In subsection (1), for “or unlawful profit order” substitute “, an unlawful profit order or a slavery and trafficking reparation order”.
- (3) In subsection (3)(b), for “or unlawful profit order” substitute “, an unlawful profit order or a slavery and trafficking reparation order”.
- (4) In subsection (4), after the definition of “prescribed” insert—
- ““slavery and trafficking reparation order” means an order under section 8 of the Modern Slavery Act 2014;”.

*Social Security (Recovery of Benefits) Act 1997 (c. 27)*

- 9C In paragraph 2 of Schedule 1 to the Social Security (Recovery of Benefits) Act 1997 (exempted payments), for “2000 or” substitute “2000, section 8 of the Modern Slavery Act 2014;”.

*Powers of Criminal Courts (Sentencing) Act 2000 (c. 6)*

- 9D In section 133(3)(c) of the Powers of Criminal Courts (Sentencing) Act 2000 (review of compensation orders), for the words from “a confiscation order” to the end substitute “any or all of the following made against him in the same proceedings—
- (i) a confiscation order under Part 6 of the Criminal Justice Act 1988 or Part 2 of the Proceeds of Crime Act 2002;
- (ii) an unlawful profit order under section 4 of the Prevention of Social Housing Fraud Act 2013;
- (iii) a slavery and trafficking reparation order under section 8 of the Modern Slavery Act 2014; or”.

**Member’s explanatory statement**

*This amendment and amendment 26 make amendments of legislation consequential on the provisions about reparation orders in clauses 8 to 10. They provide for reparation orders to be treated in a similar way to compensation orders under section 130 of the Powers of Criminal Courts (Sentencing) Act 2000.*

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**Modern Slavery Bill, *continued***

Karen Bradley

26

Schedule 4, page 45, line 42, at end insert—

- “15 In Schedule 11 to the Proceeds of Crime Act 2002 (amendments), omit paragraph 37(3).

*Courts Act 2003 (c. 39)*

- 16 (1) Schedule 5 to the Courts Act 2003 (collection of fines and other sums imposed on conviction) is amended as follows.
- (2) In paragraph 2(2)—
- (a) omit the “and” at the end of the definition of “a sum required to be paid by a compensation order”;
- (b) after the definition of “a sum required to be paid by an unlawful profit order” insert—
- ““a sum required to be paid by a slavery and trafficking reparation order” means any sum required to be paid by an order made under section 8 of the Modern Slavery Act 2014.”
- (3) In paragraph 7A(1) for “or an unlawful profit order” substitute “, an unlawful profit order or a slavery and trafficking reparation order”.
- (4) In paragraph 13(1)(aa)—
- (a) for “or a sum” substitute “, a sum”;
- (b) after “unlawful profit order” insert “or a sum required to be paid by a slavery and trafficking reparation order”;
- (c) in sub-paragraph (i) for “or the” substitute “, the”;
- (d) in that sub-paragraph after “unlawful profit order” insert “or the amount required to be paid by the slavery and trafficking reparation order”.

*Criminal Justice Act 2003 (c. 44)*

- 17 In section 151(5) of the Criminal Justice Act 2003 (orders for persistent offenders previously fined) after “2013” insert “or a slavery and trafficking reparation order under section 8 of the Modern Slavery Act 2014”.
- 18 (1) Section 161A of the Criminal Justice Act 2003 (court’s duty to order payment of surcharge) is amended as follows.
- (2) In subsection (3)—
- (a) in paragraph (a) for the words from “a” to “both)” substitute “one or more of a compensation order, an unlawful profit order and a slavery and trafficking reparation order”;
- (b) in paragraph (b) for the words from “and appropriate compensation” to the end substitute “and appropriate amounts under such of those orders as it would be appropriate to make”.
- (3) In subsection (5) for “this section” substitute “this section —
- “slavery and trafficking reparation order” means an order under section 8 of the Modern Slavery Act 2014, and”.

*Health and Social Care (Community Health and Standards) Act 2003 (c. 43)*

- 19 In paragraph 1 of Schedule 10 to the Health and Social Care (Community Health and Standards) Act 2003 (recovery of NHS charges: exempted payments)—
- (a) omit “or” at the end of sub-paragraph (b);

**Modern Slavery Bill, continued**

- (b) at the end of sub-paragraph (c) insert “or  
 (d) section 8 of the Modern Slavery Act 2014 (slavery and trafficking reparation orders).”

*Prevention of Social Housing Fraud Act 2013 (c. 3)*

- 20 In the Schedule to the Prevention of Social Housing Fraud Act 2013 (amendments), omit paragraphs 2, 5(2)(a) and (3), 9, 26 and 30(2).”

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Karen Bradley

21

Clause 49, page 31, line 13, at end insert—

- “( ) Her Majesty may by Order in Council provide for any of the provisions of this Act to extend, with or without modifications, to any of the Channel Islands or to the Isle of Man.”

***Member’s explanatory statement***

*This amendment enables provisions of the Bill to be extended to any of the Channel Islands or to the Isle of Man, by Order in Council.*

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*NEW CLAUSES*

Karen Bradley

NC1

To move the following Clause—

**“Slavery and trafficking prevention orders: requirement to provide name and address**

- (1) A slavery and trafficking prevention order may (as well as imposing prohibitions on the defendant) require the defendant to comply with subsections (3) to (6).
- (2) It may do so only if the court is satisfied that the requirement is necessary for the purpose of protecting persons generally, or particular persons, from the physical or psychological harm which would be likely to occur if the defendant committed a slavery or human trafficking offence.
- (3) Before the end of the period of 3 days beginning with the day on which a slavery and trafficking prevention order requiring the defendant to comply with subsections (3) to (6) is first served the defendant must, in the way specified in the order, notify the person specified in the order of the relevant matters.
- (4) The relevant matters are—
  - (a) the defendant’s name and, where the defendant uses one or more other names, each of those names, and
  - (b) the defendant’s home address.
- (5) If while the defendant is subject to the order the defendant—
  - (a) uses a name which has not been notified under the order, or
  - (b) changes home address,

the defendant must, in the way specified in the order, notify the person specified in the order of the new name or the new home address.

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**Modern Slavery Bill, *continued***

- (6) The notification must be given before the end of the period of 3 days beginning with the day on which the defendant uses the name or changes home address.
- (7) Where the order requires the defendant to notify the Director General of the National Crime Agency or an immigration officer, the Director General or the officer must give details of any notification to the chief officer of police for each relevant police area.
- (8) “Relevant police area” means—
  - (a) where the defendant notifies a new name, the police area where the defendant lives;
  - (b) where the defendant notifies a change of home address, the police area where the defendant lives and (if different) the police area where the defendant lived before the change of home address.”

***Member’s explanatory statement***

*This amendment confers a power on the court to impose a requirement on a defendant in respect of whom one or more prohibitions have been imposed under a slavery and trafficking prevention order to notify information in relation to name and address in the way specified in the order.*

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Karen Bradley

NC2

To move the following Clause—

**“Slavery and trafficking risk orders: requirement to provide name and address**

- (1) A slavery and trafficking risk order may (as well as imposing prohibitions on the defendant) require the defendant to comply with subsections (3) to (6).
- (2) It may do so only if the court is satisfied that the requirement is necessary for the purpose of protecting persons generally, or particular persons, from the physical or psychological harm which would be likely to occur if the defendant committed a slavery or human trafficking offence.
- (3) Before the end of the period of 3 days beginning with the day on which a slavery and trafficking risk order requiring the defendant to comply with subsections (3) to (6) is first served the defendant must, in the way specified in the order, notify the person specified in the order of the relevant matters.
- (4) The relevant matters are—
  - (a) the defendant’s name and, where the defendant uses one or more other names, each of those names, and
  - (b) the defendant’s home address.
- (5) If while the defendant is subject to the order the defendant—
  - (a) uses a name which has not been notified under the order, or
  - (b) changes home address,
 the defendant must, in the way specified in the order, notify the person specified in the order of the new name or the new home address.
- (6) The notification must be given before the end of the period of 3 days beginning with the day on which the defendant uses the name or changes home address.
- (7) Where the order requires the defendant to notify the Director General of the National Crime Agency or an immigration officer, the Director General or the officer must give details of any notification to the chief officer of police for each relevant police area.
- (8) “Relevant police area” means—

**Modern Slavery Bill, continued**

- (a) where the defendant notifies a new name, the police area where the defendant lives;
- (b) where the defendant notifies a change of home address, the police area where the defendant lives and (if different) the police area where the defendant lived before the change of home address.”

**Member’s explanatory statement**

*This amendment confers a power on the court to impose a requirement on a defendant in respect of whom one or more prohibitions have been imposed under a slavery and trafficking risk order to notify information in relation to name and address in the way specified in the order.*

Mr David Burrowes

NC3

To move the following Clause—

**“Meaning of slavery, servitude and forced or compulsory labour**

- (1) This section applies to section 1.
- (2) Forced or compulsory labour means all work or service which is exacted from a person under the menace of any penalty and to which the person has not given free and informed consent.
- (3) It is irrelevant whether a child has consented to forced or compulsory labour.
- (4) Servitude is the condition of a person who provides labour or services, if, because of coercion, threat, or deception—
  - (a) a reasonable person in the same situation as the person would not consider himself or herself to be free—
    - (i) to cease providing the labour or services; or
    - (ii) to leave the place or area where the person provides the labour or services; and
  - (b) the person is significantly deprived of personal freedom in respect of aspects of his or her life other than the provision of the labour or services.
- (5) Services or benefits of any kind can include forced begging or criminal activities.
- (6) Slavery is the condition of a person over whom another person exacts control in such a way as to significantly deprive that person of individual liberty, with the intent of exploitation through the use, management, profit, transfer or disposal of that person.
- (7) In section 1 the references to holding a person in slavery or servitude or requiring a person to perform forced or compulsory labour are also to be construed in accordance with Article 4 of the Human Rights Convention.”

**Member’s explanatory statement**

*This amendment adds definitions of slavery, servitude and forced or compulsory labour to the Bill to aid interpretation of the law by frontline police officers and prosecutors. The definitions are based on those in international law.*

**Modern Slavery Bill, *continued***

Fiona Mactaggart

NC4

To move the following Clause—

**“Slavery of children and adults**

- (1) It is an offence to hold a person in, or subject a persons to, slavery.
  - (2) For the purposes of this Act “slavery” means the control by a peron of a second person in such a way as—
    - (a) significantly to deprive that second person of their individual liberty, and
    - (b) by which any person obtains a benefit through the use, management, profit, transfer or disposal of that second person.
  - (3) Where that second person is a child, slavery also includes any act or transaction whereby the child is transferred or purports to be transferred to another person in return for money or other consideration, other than through lawful adoption or similar formal process.”
- 

Fiona Mactaggart

NC5

To move the following Clause—

**“Child exploitation offences**

- (1) It is an offence to exploit a child.
  - (2) It is an offence for one person to obtain a benefit through the use of a child for the purpose of exploitation.
  - (3) In determining whether an offence has been committed under this section—
    - (a) the question whether a child, or any person who has responsibility for the child, has consented to any conduct, and
    - (b) the question whether any coercive means have been used, are irrelevant.”
- 

Fiona Mactaggart

NC6

To move the following Clause—

**“Exploitation offence: general**

- (1) It is an offence to exploit a person.
- (2) An offence under this section is committed where one person obtains a benefit through the use of a second person for the purpose of exploitation by means of—
  - (a) the threat or use of force or of other forms of coercion,
  - (b) abduction,
  - (c) fraud or deception,
  - (d) abuse of power,
  - (e) abuse of a position of vulnerability,

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**Modern Slavery Bill, *continued***

- (f) the giving or receiving of any payment or benefit with a view to securing the consent of any person having control over that second person.”
- 

Fiona Mactaggart

NC7

To move the following Clause—

**“Child trafficking**

- (1) It is an offence to traffick a child.
  - (2) An offence under this section is committed by any person who recruits, transports, transfers, harbours or receives that child, including the exchange or transfer of control over that child, for the purpose of exploitation.
  - (3) In determining whether an offence has been committed under this section—
    - (a) the question whether that child, or any person who has responsibility for that child, has consented to any conduct, and
    - (b) the question whether any coercive means have been used, are irrelevant.”
- 

Fiona Mactaggart

NC8

To move the following Clause—

**“Trafficking**

- (1) It is an offence to traffick a person.
  - (2) An offence under this section is committed by any person who recruits, transports, transfers, harbours or receives a second person for the purpose of exploitation, where the means used to do any of those acts include—
    - (a) the threat or use of force or of other forms of coercion,
    - (b) abduction,
    - (c) fraud or deception,
    - (d) abuse of power,
    - (e) abuse of a position of vulnerability, or
    - (f) the giving or receiving of any payment or benefit with a view to securing the consent of any other person having control over that second person.”
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**Modern Slavery Bill, *continued***

Fiona Mactaggart

NC9

To move the following Clause—

**“Facilitating the commission of an offence under Part 1**

A person who is concerned in, or who facilitates, the commission of an offence under this Part in relation to a second person or child commits an offence if that first person knows or ought to know that second person or child is, or is to be, held in or subjected to slavery, or exploited or trafficked.”

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Fiona Mactaggart

NC10

To move the following Clause—

**“Definition of “exploitation”**

For the purposes of this Part—

- (1) “exploitation” includes but is not limited to the prostitution of others or other forms of sexual exploitation, labour or services including begging, practices similar to slavery, servitude, or the exploitation of or for criminal activities, or the removal of organs etc.
- (2) “sexual exploitation” means—
  - (a) an offence under Part 1 of the Sexual Offence Act 2003,
  - (b) an offence under section 1(1)(a) of the Protection of Children Act 1978,
  - (c) an offence under any provision of the Sexual Offences (Northern Ireland) Order 2008,
  - (d) an offence listed in Schedule 1 to the Criminal Justice (Children) (Northern Ireland) Order 1998 (S.I. 1998/1504 (N.I.9)),
  - (e) an offence under Article 3(1)(a) of the Protection of Children (Northern Ireland) Order 1978 (S.I. 1978/1047 (N.I.17)), or
  - (f) anything done outside England and Wales and Northern Ireland which is not an offence within any of paragraphs (a) to (e) but would be if done in England and Wales or Northern Ireland.
- (3) “removal of organs etc.” means—
  - (a) an offence under section 32 or 33 of the Human Tissue Act 2004 (prohibition of commercial dealings in organs and restrictions on use of live donors) as it has effect in England and Wales, or
  - (b) which would involve the commission of such an offence if it were done in England and Wales.”

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**Modern Slavery Bill, *continued***

Fiona Mactaggart

NC11

To move the following Clause—

**“Commission of offence within or outside the United Kingdom**

- (1) A person who is a United Kingdom national or resident commits an offence under this Part regardless of—
    - (a) where the offence took place, or
    - (b) the country or territory which is the place of arrival, entry, departure or travel of any person in relation to whom the offence is committed.
  - (2) A person who is not a United Kingdom national or resident commits an offence under this Part if—
    - (a) any part of the offence takes place in the United Kingdom, or
    - (b) the United Kingdom is the country of arrival, entry, departure, or travel of any person in relation to whom the offence is committed.”
- 

Fiona Mactaggart

NC12

To move the following Clause—

**“Penalties**

- (1) A person guilty of an offence under any section in this Part is liable—
    - (a) on conviction on indictment, to imprisonment for life or a fine or both;
    - (b) on summary conviction, to imprisonment for a term not exceeding 12 months or a fine not exceeding the statutory maximum or both.
  - (2) A person guilty of an offence under section (*Facilitating the commission of an offence under Part 1*) is (unless subsection (3) applies) liable—
    - (a) on conviction on indictment, to imprisonment for a term not exceeding 10 years or a fine or both;
    - (b) on summary conviction, to imprisonment for a term not exceeding 12 months or a fine not exceeding the statutory maximum or both.
  - (3) Where the commission of an offence under section (*Facilitating the commission of an offence under Part 1*) involves the offender kidnapping or falsely imprisoning any person, a person guilty of that offence is liable, on conviction or indictment, to imprisonment for life or a fine or both.
  - (4) In relation to an offence committed before section 154(1) of the Criminal Justice Act 2003 comes into force, the references in subsections (1)(b) and (2)(b) to 12 months are to be read as references to six months.”
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**Modern Slavery Bill, *continued***

Fiona Mactaggart

NC13

To move the following Clause—

**“Sentencing**

- (1) The Criminal Justice Act 2003 is amended as follows.
  - (2) In Part 1 of Schedule 15 (specified offences for purposes of Chapter 5 of Part 12: sentencing of dangerous offenders), after paragraph 63F insert—  
“63G An offence under Part 1 of the Modern Slavery Act 2014.”
  - (3) In Part 1 of Schedule 15B (offence listed for purposes of sections 224A, 226A and 246A: life sentences, extended sentences, release on licence of prisoners serving extended sentences), after paragraph 43 insert—  
“43A An offence under Part 1 of the Modern Slavery Act 2014.””
- 

Fiona Mactaggart

NC14

To move the following Clause—

**“Repeal of existing provisions**

- (1) In the Sexual Offences Act 2003, omit—
    - (a) section 59A (trafficking people for sexual exploitation),
    - (b) section 60 (interpretation of section 59A),
    - (c) section 60A (forfeiture of land vehicle etc.),
    - (d) section 60B (detention of land vehicle etc.),
    - (e) section 60C (interpretation of sections 60A and 60B).
  - (2) In the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004, omit—
    - (a) section 4 (trafficking people for exploitation),
    - (b) section 5(3) and (4) (section 4 - supplementary provision).
  - (3) In the Coroners and Justice Act 2009, omit section 71 (slavery, servitude and forced or compulsory labour).”
- 

Diana Johnson  
 Mr David Hanson  
 Phil Wilson  
 Sarah Champion

NC15

To move the following Clause—

**“Human trafficking**

- (1) Any person who—
  - (a) recruits, transports, transfers, harbours or receives a person including by exchange or transfer of control over that or those persons,
  - (b) by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or abuse of a position of vulnerability, or of the giving or receiving of payments or

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**Modern Slavery Bill, *continued***

- benefits to achieve the consent of a person having control over another person, and
- (c) knows or ought to know that the purpose of the acts in subsections 7(1)(a) and 7(1)(b) above is the exploitation of that person,
- commits an offence of human trafficking.
- (2) The consent or apparent consent of a person to the acts referred to in subsection 2(1)(a) or to the exploitation shall be irrelevant where any of the means set forth in subsection 2(1)(b) have been used.”.

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Diana Johnson  
Mr David Hanson  
Phil Wilson  
Sarah Champion

**NC16**

To move the following Clause—

**“Offence of child trafficking**

- (1) Any person who—
- (a) recruits, transports, transfers, harbours or receives a child including by exchange or transfer of control over the child, and
- (b) knows or ought to know that the purpose of the acts in subsections 8(1)(a) is the exploitation of that child,
- commits an offence of human trafficking.
- (2) The consent or apparent consent of the child to the acts referenced in subsection 2A(1)(a) or to the exploitation is irrelevant.”.

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Diana Johnson  
Mr David Hanson  
Phil Wilson  
Sarah Champion

**NC17**

To move the following Clause—

**“Offence of exploitation**

- (1) A person commits an offence if they exploit a person by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or abuse of a position of vulnerability, or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person.
- (2) A person may be in a situation of exploitation whether or not—
- (a) escape from the situation is practically possible for the person; or
- (b) the person has attempted to escape from the situation.

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**Modern Slavery Bill, *continued***

- (3) The consent or apparent consent of the person to the exploitation is irrelevant where any of the means set forth in section 9(1) has been used.”.
- 

Diana Johnson  
Mr David Hanson  
Phil Wilson  
Sarah Champion

NC18

To move the following Clause—

**“Offence of child exploitation**

- (1) A person commits an offence if they exploit a child.
  - (2) It shall be such an offence even if there was no threat or use of violence, other forms of coercion, deception or any abuse of a position of vulnerability.
  - (3) A child may be in a situation of exploitation whether or not—
    - (a) escape from the situation is practically possible for the child; or
    - (b) the child has attempted to escape from the situation.
  - (4) The consent or apparent consent of the child to the exploitation is irrelevant.
  - (5) “Child Exploitation” includes but is not limited to, the exploitation of the prostitution of others or other forms of sexual exploitation; the exploitation of labour or services including begging or practices similar to slavery, servitude or forced or compulsory labour; the exploitation of or for criminal activities including benefit fraud; the removal of organs; forced or servile marriage or enforced surrogacy; exploitation for unlawful adoption; and exploitation by enforced drugs smuggling, manufacture, production or distribution.”.
- 

Mark Durkan

NC19

To move the following Clause—

**“Establishment of the Anti-Slavery Commissioner**

- (1) There is to be an office of Anti-Slavery Commissioner (in this section “the Commissioner”).
  - (2) The Commissioner shall be appointed by the Secretary of State, following a pre-appointment review by Parliament of the candidate proposed by the Secretary of State.
  - (3) The Commissioner may appoint their own staff.”.
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**Modern Slavery Bill, *continued***

Mark Durkan

NC20

To move the following Clause—

**“General function and powers of Commissioner**

- (1) The Commissioner shall—
  - (a) monitor trafficking, slavery, exploitation, servitude, and forced or compulsory labour, the fulfilment of international obligations and the effectiveness of national legislation and policy;
  - (b) issue proposals, recommendations, statements, opinions and advice relevant to the fight against trafficking, slavery, exploitation, servitude, forced or compulsory labour and to the realisation of the rights of victims;
  - (c) engage with international organisations on trafficking, slavery, exploitation, servitude, forced or compulsory labour, child protection, and other relevant issues;
  - (d) report annually to Parliament on trafficking, slavery, exploitation, servitude, forced or compulsory labour, and related issues;
  - (e) periodically review the offences and related policy of trafficking and slavery to ensure that they reflect the UK’s obligations under the Trafficking Convention and Trafficking Directive and that other international instruments are consistently applied to all trafficked, enslaved or exploited persons;
  - (f) periodically review public authorities’ compliance with their duties under international and national legislation and policy in relation to trafficking, slavery, exploitation, servitude and forced and compulsory labour; and
  - (g) provide an impact assessment on the trafficking, slavery, exploitation, servitude, and forced or compulsory labour implications for government trade deals and trade and aid policy.
- (2) The Commissioner is responsible for reviewing the practical implementation of the non-prosecution and non-punishment of trafficked, enslaved and/or exploited persons, and in doing so must have particular regard to women and children.
- (3) The Commissioner shall, specifically in respect of victims—
  - (a) encourage persons exercising functions or engaged in activities affecting trafficked, enslaved or exploited persons to take account of the views and interests of victims;
  - (b) consult with and advise the Government on the views and interests of trafficked, enslaved or exploited persons;
  - (c) consider the operation of complaints procedures relating to trafficked, enslaved or exploited persons;
  - (d) consider any other matters relating to the services for, and interests and outcomes of trafficked, enslaved or exploited persons;
  - (e) be responsible for reviewing the practical implementation of the provision in this Bill for the non-prosecution of and non-application of penalties to trafficked, enslaved or exploited persons and victims of forced or compulsory labour, and in doing so must have particular regard to women and children; and
  - (f) publish a report on any matter in connection with trafficking, slavery, exploitation, servitude, and forced or compulsory labour considered by the Commissioner, which may include recommendations.

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**Modern Slavery Bill, *continued***

- (4) The Commissioner must take reasonable steps to involve trafficked, enslaved and/or exploited persons in the discharge of his/her function under this section, and in particular to—
  - (a) ensure that trafficked, enslaved or exploited persons are made aware of the Commissioner’s function and how they may communicate with the Commissioner, and
  - (b) consult trafficked, enslaved or exploited persons, and organisations working with them on the matters the Commission proposes to consider.
- (5) The Commissioner is not obliged under this section to conduct an investigation of the case of an individual trafficked, enslaved or exploited person. The Commissioner may, however—
  - (a) investigate a particular case and/or intervene as a third party in a particular case where the case raises issues of public policy of relevance to other trafficked, enslaved or exploited persons; or
  - (b) investigate any decision or recommendation made, or any act done or omitted, in respect of any trafficked, enslaved or exploited person.
- (6) All public authorities must supply the Commissioner with such information in that person’s possession or control relating to those functions as the Commissioner may reasonably request for the purposes of his function under this section (provided that the information is information which that person may, apart from this section (6), lawfully disclose to the Commissioner).
- (7) Where the Commissioner has published a report under this section containing recommendations in respect of any person exercising functions under any enactment, he may require that person to state in writing, within such period as the Commissioner may reasonably require, what action the person has taken or proposes to take in response to the recommendations.
- (8) The Secretary of State must not take steps or impose measures that may impair, or may appear to impair, the Commissioner’s independence and shall ensure that the Commissioner is, to the extent the Commissioner is able, to determine, without limitation (other than as prescribed in this Bill)—
  - (a) the Commissioner’s activities;
  - (b) the Commissioner’s timetables;
  - (c) the Commissioner’s priorities; and
  - (d) the Commissioner’s resources and funding.”.

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Fiona Mactaggart

NC21

To move the following Clause—

**“Procuring sex for payment**

- (1) A person commits an offence under this section if he or she procures sexual intercourse or any other sexual act, whether for himself or herself or for another person, in return for payment.
- (2) a “payment” includes—
  - (a) payment that is promised or given by another person;

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**Modern Slavery Bill, *continued***

- (b) provision of non-financial benefits, including, but not limited to, drugs or alcohol.”
- 

Sarah Teather

NC22

☆ To move the following Clause—

**“National referral mechanism**

- (1) The Secretary of State must by order establish a mechanism for the identification and protection of victims of modern slavery offences as defined in Part 1 of this Act.
  - (2) In establishing the mechanism the Secretary of State must have regard to the the desirability of making provision for the following matters—
    - (a) the means and process for the identification and referral to the mechanism of potential victims of modern slavery;
    - (b) the provision to a child of an advocate in accordance with section 41 of this Act, if no such advocate has already been appointed upon identification of the child as a victim or referral to the mechanism;
    - (c) the appropriate stages in the formal identification process of a victim of modern slavery, the tests to be applied at each stage, and the timescales within which each stage must be completed;
    - (d) the suitability, qualification and necessary training of a person or organisation to fulfil the processes at paragraphs (2)(a) or (c);
    - (e) the principle that an organisation whose functions include determining asylum and immigration is unsuitable to deal with the matters referred to in paragraph (c).
    - (f) the care assistance or services which shall be provided as a minimum to all potential and formally identified victims of modern slavery;
    - (g) the provision of an internal review and appeal of a decision under paragraphs (2)(a) or (c).”
- 

Mr David Hanson  
Diana Johnson  
Phil Wilson

NC23

☆ To move the following Clause—

**“Enabling provision to enable the Gangmasters Licensing Authority to tackle modern day slavery**

- (1) The Secretary of State shall undertake a review of the Gangmasters Licensing Authority’s remit with regard to section 2 of the Act and the necessity and evidence for an extension of work covered by the Gangmasters (Licensing) Act 2004, and lay a report in both Houses of Parliament within one year of this Bill obtaining Royal Assent.
- (2) The Secretary of State may by order amend section 3 of the Gangmasters (Licensing) Act 2004 to include other areas of work where the Secretary of State

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**Modern Slavery Bill, *continued***

believes abuse and exploitation of workers or modern slavery or trafficking may be taking place.”

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Mr David Hanson  
Diana Johnson  
Phil Wilson

**NC24**

☆ To move the following Clause—

**“Protection from slavery for overseas domestic workers**

- (1) All overseas and domestic workers including those working for staff of diplomatic missions shall be entitled to—
    - (a) change their employer (but not work sector) while in the United Kingdom;
    - (b) renew their domestic worker or diplomatic domestic worker visa for a period not exceeding six months as long as they remain in employment and are able to support themselves adequately without recourse to public funds;
    - (c) a three month temporary visa permitting them to live in the United Kingdom for the purposes of seeking alternative employment as an overseas domestic worker where there is evidence that the worker has been a victim of modern slavery.”
- 

Sir Andrew Stunell

**NC25**

★ To move the following Clause—

**“Quoted company’s duty to prepare strategic report: impact of supply chains on human rights**

- (2) That section 414C, Contents of strategic report, of the Companies Act 2006 be amended as follows.
- (3) In subsection (7), paragraph (b)(iii), insert “, including the impact of the company’s supply chain of goods and services on them.”

***Member’s explanatory statement***

*This New Clause imposes on quoted companies a requirement to report on the impact of their supply chains on social, community and human rights issues in their annual strategic reports.*

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ORDER OF THE HOUSE [8 JULY 2014]

That the following provisions shall apply to the the Modern Slavery Bill:—

*Committal*

1. The Bill shall be committed to a Public Bill Committee.



**Modern Slavery Bill, continued***Proceedings in Public Bill Committee*

2. Proceedings in the Public Bill Committee shall (so far as not previously concluded) be brought to a conclusion on Tuesday 14 October 2014.
3. The Public Bill Committee shall have leave to sit twice on the first day on which it meets.

*Consideration and Third Reading*

4. Proceedings on Consideration shall (so far as not previously concluded) be brought to a conclusion one hour before the moment of interruption on the day on which those proceedings are commenced.
5. Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption of that day.
6. Standing Order No. 83B (Programming committees) shall not apply to proceedings on Consideration and Third Reading.

*Other Proceedings*

7. Any other proceedings on the Bill (including any proceedings on consideration of Lords Amendments or any further message from the Lords) may be programmed.

## ORDER OF THE COMMITTEE [21 JULY 2014]

That—

- (1) the Committee shall (in addition to its first meeting at 3.30pm on Monday 21 July) meet—
  - (a) at 9.25 am and 2.00 pm on Tuesday 2 September;
  - (b) at 11.30 am and 2.00 pm on Thursday 4 September;
  - (c) at 9.25 am and 2.00 pm on Tuesday 9 September;
  - (d) at 11.30 am and 2.00 pm on Thursday 11 September;
  - (e) at 9.25 am and 2.00 pm on Tuesday 14 October;
- (2) the Committee shall hear oral evidence on Monday 21 July in accordance with the following Table—

TABLE

<i>Time</i>	<i>Witness</i>
Until not later than 4.00 pm	Alison Saunders, Director of Public Prosecutions; National Crime Agency
Until no later than 4.45 pm	Church of England; Catholic Bishops for England and Wales
Until not later than 5.30 pm	Centre for Social Justice; Kalayaan; Unseen UK
Until no later than 6.00 pm	Nadine Finch, Garden Court Chambers; Peter Carter QC, Red Lion Chambers

- (3) proceedings on consideration of the Bill in Committee shall be taken in the following order; Clauses 1 to 13; Schedule 1; Clauses 14 and 15; Schedule 2;

**Modern Slavery Bill, *continued***

Clauses 16 to 39; Schedule 3; Clauses 40 to 46; Schedule 4; Clauses 47 to 51; new Clauses; new Schedules; remaining proceedings on the Bill.

- (4) the proceedings shall (so far as not previously concluded) be brought to a conclusion at 5.00 pm on Tuesday 14 October.
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