



House of Commons

Tuesday 9 September 2014

PUBLIC BILL COMMITTEE PROCEEDINGS

MODERN SLAVERY BILL

[SIXTH AND SEVENTH SITTINGS]

Fiona Mactaggart

Not selected 48

Page 4, line 7, leave out Clause 6.

Clause agreed to.

Clauses 7 to 9 agreed to.

Karen Bradley

Agreed to 5

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;”

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).

Clause, as amended, agreed to.

Mr David Hanson
Diana Johnson
Phil Wilson

Withdrawn 70

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

Modern Slavery Bill, *continued*

Clause agreed to.

Mr David Hanson
Diana Johnson
Phil Wilson

Clause 12, page 8, line 34, leave out “senior”

Withdrawn 66

Mr David Hanson
Diana Johnson
Phil Wilson

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

Not called 67

Clause agreed to.

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”

Agreed to 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—

Not called 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—

Negatived on division 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;
- (c) establish means to ensure that co-ordination and intelligence sharing in relation to maritime trafficking and forced labour occurs between the

Modern Slavery Bill, continued

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

Negatived on division 57

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

Mr David Hanson
Diana Johnson
Phil Wilson

Not called 27

Clause 13, page 11, line 3, at end insert—

- “(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.”

Clause, as amended, agreed to.

Mr David Hanson
Diana Johnson
Phil Wilson

Withdrawn 69

Schedule 1, page 33, line 18, at end insert—

- “(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.”

Schedule agreed to.

Clause 14 agreed to.

Clause 15 agreed to.

Schedule 2 agreed to.

Mr David Hanson
Diana Johnson
Phil Wilson

Withdrawn 76

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

Modern Slavery Bill, *continued*

Mr David Hanson
Diana Johnson
Phil Wilson

Withdrawn 68

Clause 16, page 12, line 26, at end add “or
(c) who the chief officer believes has been to it previously or had connections with the area.”

Clause agreed to.

Clauses 17 to 19 agreed to.

Karen Bradley

Agreed to 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

Agreed to 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

Agreed to 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

Not called 77

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

Modern Slavery Bill, continued

Karen Bradley

Agreed to 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.

Karen Bradley

Agreed to 11

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

Member’s explanatory statement

This amendment is consequential on amendment 10.

Clause, as amended, agreed to.

Mr David Hanson
Diana Johnson
Phil Wilson

Withdrawn 78

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

Karen Bradley

Agreed to 12

Clause 21, page 16, line 42, 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 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.

Clause, as amended, agreed to.

Clause 22 agreed to.

Mr David Hanson
Diana Johnson
Phil Wilson

Withdrawn 80

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

Modern Slavery Bill, *continued*

Mr David Hanson
Diana Johnson
Phil Wilson

Clause 23, page 17, line 40, after first “a” insert “sufficiently serious” *Not called* **79**

Sarah Teather

Clause 23, page 18, line 2, at end insert— *Not called* **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,
 - (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.”

Clause agreed to.

Mr David Hanson
Diana Johnson
Phil Wilson

Clause 24, page 18, line 30, after “satisfied”, insert “beyond reasonable doubt” *Not called* **81**

Mr David Hanson
Diana Johnson
Phil Wilson

Clause 24, page 29, line 3, after subsection (6) add— *Withdrawn* **124**

- “(7) The Secretary of State shall publish statutory guidance on the measures that may be included in a slavery and trafficking risk order within one month of this Act receiving Royal Assent.”

Clause agreed to.

Clause 25 agreed to.

Karen Bradley

Clause 26, page 19, line 42, at end insert— *Agreed to* **13**

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“() 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

Agreed to 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

Agreed to 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

Agreed to 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

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

Agreed to 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.

Clause, as amended, agreed to.

Karen Bradley

Agreed to 18

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

Modern Slavery Bill, continued

“(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.

Clause agreed to.

Clause 28 agreed to.

Karen Bradley

Agreed to 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

Agreed to 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

Negated on division 109

Clause 29, page 22, line 14, leave out “not exceeding £5,000”.

Mr David Hanson
Diana Johnson
Phil Wilson

Not called 83

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

Mr David Hanson
Diana Johnson
Phil Wilson

Not called 84

Clause 29, page 22, line 20, at end add—

Modern Slavery Bill, *continued*

“(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.”

Clause agreed to.

Clauses 30 and 31 agreed to.

Mr David Hanson
Diana Johnson
Phil Wilson

Withdrawn 85

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

Mr David Hanson
Diana Johnson
Phil Wilson

Not called 86

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

Clause agreed to.

Clause 33 agreed to.

Diana Johnson
Mr David Hanson
Phil Wilson

Negated on division 117

Clause 34, page 24, line 19, leave out “a person as the” and insert “an independent”
Member’s explanatory statement

This amendment asserts the independence of the Anti-Slavery Commissioner.

Diana Johnson
Mr David Hanson
Phil Wilson

Not called 112

Clause 34, page 24, line 20, at end insert—

“(2A) Before making this appointment the Secretary of State’s preferred candidate must go through a pre-appointment hearing with the Home Affairs Select Committee.”

Diana Johnson
Mr David Hanson
Phil Wilson

Not called 118

Clause 34, page 24, line 23, leave out “may” to end of line 30 and insert—

“shall pay remuneration and allowances to the Commissioner and—

Modern Slavery Bill, *continued*

- (a) *shall before the beginning of each financial year specify a maximum sum which the Commissioner may spend on functions for that year*
 - (b) *may permit that to be exceeded for a specified purpose, and*
 - (c) *shall defray the Commissioner's expenditure for each financial year subject to paragraphs (a) and (b).*
- (4) *The Commissioner may appoint staff."*

Mark Durkan

Not selected 55

Page 24, line 18, leave out Clause 34.

Clause agreed to.

[Adjourned until Thursday at 11.30 am