



The Rt Hon Lord Hanson of Flint
Minister of State
Home Office
2 Marsham Street
London SW1P 4DF

18 September 2025

Dear Minister,

THE CRIME AND POLICING BILL

At its meeting on 17 September 2025, the House of Lords Northern Ireland Scrutiny Committee considered a letter from the Chief Commissioner of the Northern Ireland Human Rights Commission (NIHRC), Alyson Kilpatrick, in relation to the Crime and Policing Bill.

The letter from the NIHRC raised a number of issues relating to Article 71 of the Bill and the Government's compliance with Article 2 of the Windsor Framework.

The NIHRC stated that the "Commission welcomes the objective of the Bill in seeking to strengthen the framework for tackling child sexual abuse and exploitation and trafficking-related offences without diminishing procedural or substantive rights."

It noted, however, "that neither the Human Rights memorandum nor the various impact assessments published alongside the Bill, consider compliance with Windsor Framework Article 2" and "recommended that Human Rights Memoranda / impact assessments on Bills and statutory instruments that may engage Windsor Framework Article 2, set out detailed consideration of compliance."

In addition, the NIHRC stated that: "When assessing the impact of policy and legislation on Windsor Framework Article 2, the Department should consider EU law which underpins protections within the Rights, Safeguards and Equality of Opportunity chapter of the Belfast (Good Friday) Agreement, including relevant ECHR rights, and ensure that there is no diminution of standards set out in that relevant EU law, as the law applies in Northern Ireland."

The NIHRC raised the issue of "what is proposed in terms of statutory safeguards or procedures to identify and protect trafficking victims, the absence of which may lead to criminalising or retraumatising children who have been coerced or groomed into carrying such material, often without fully understanding its nature. This would contravene Article 8 of Directive 2011/36/EU and Article 20 of Directive 2011/93/EU."



In addition, the NIHRC stated that the “Clause does not include requirements for officers to receive specialist training in identifying trafficking or exploitation indicators in child sensitive or trauma informed procedures, despite Article 18 (3) of Directives 2011/36/EU and Article 23 2011/93/EU.”

Finally, the NIHRC raised a number of questions about the Bill. We would be grateful for your response to the following questions raised by the NIHRC before the Lords Committee stage of the Bill:

- i. What assurance can the Department provide that officers will be equipped with trauma-informed child sensitive procedures in line with Articles 8 and 18 (3) of Directive 2011/36/EU and Articles 20 and 23 of Directive 2011/93/EU?
- ii. Will the Department provide an updated Human Rights Memorandum or a Human Rights Impact Assessment including consideration of Windsor Framework Article 2?
- iii. What assessment has been made of the potential impact of Clause 71 on trafficked or exploited children, particularly in cases where coercion or grooming may be present?
- iv. What information can the Department provide to assure the Committee that officers will be trained to apply trauma-informed, child-sensitive approaches when identifying potential trafficking victims under Clause 71?
- v. What safeguards are in place to ensure that Clause 71 does not lead to unintended criminalisation or traumatising of vulnerable children?

I am copying this letter to Tonia Antoniazzi MP, Chair of the Commons Northern Ireland Affairs Committee, Paul Frew MLA, Chair of the Northern Ireland Assembly Committee for Justice.

Yours sincerely,

Lord Carlile of Berriew CBE KC,
Chair, Northern Ireland Scrutiny Committee