



Northern Ireland
Assembly

Committee for Justice

Minutes of Proceedings

17 January 2022

Meeting Location: Room 29, Parliament Buildings, Belfast

Present: Mr Mervyn Storey MLA (Chairperson)
Ms Sinéad Ennis MLA (Deputy Chairperson)
Ms Jemma Dolan MLA
Mr Peter Weir MLA

Present by Video or Teleconference:

Ms Sinéad Bradley MLA
Ms Rachel Woods MLA

Apologies: Mr Doug Beattie MLA
Mr Robin Newton MLA
Ms Emma Rogan MLA

In Attendance: Mrs Christine Darrah (Assembly Clerk)
Mrs Kathy O'Hanlon (Senior Assistant Clerk)
Mr Stephen Corr (Clerical Supervisor)



Northern Ireland
Assembly

In Attendance by Video or Teleconference:

Mrs Clairita Frazer (Assistant Assembly Clerk)

The meeting commenced at 10:20 a.m. in closed session in accordance with normal protocol for the Committee to receive advice from the Assembly Bill Clerk on potential committee amendments.

1. Apologies

As above.

The Chairperson informed the Committee that, under Standing Order 115(6), Robin Newton MLA had delegated authority to him to vote on his behalf and Emma Rogan MLA had delegated authority to the Deputy Chairperson, Sinéad Ennis MLA, to vote on her behalf.

2. Justice (Sexual Offences and Trafficking Victims) Bill – Consideration of Potential Committee Amendments

Ms Stephanie Mallon, Assembly Bill Clerk, attended the meeting to outline the draft text of the amendments to the Justice (Sexual Offences and Trafficking Victims) Bill prepared at the request of the Committee and provided clarification on a number of issues.

Agreed: The Committee agreed to ask the Department to include consideration of the provision of support following receipt of a negative NRM decision for those appealing the decision until the outcome of the appeal in its Modern Slavery Strategy



Northern Ireland
Assembly

and Action Plans in the report on the Justice (Sexual Offences and Trafficking Victims) Bill rather than bringing forward an amendment to the Bill.

Agreed: The Committee agreed to seek the views of the NSPCC on its proposed amendment to the Department's amendment to widen the scope of current law on abuse of trust.

Agreed: The Committee agreed to seek the views of the Department on the wording of its proposed amendment to create a new offence of Cyber Flashing and any implications of its proposed amendment to extend the statutory defence on exploitation to include Class A drugs.

Agreed: The Committee agreed that it would consider the final text of the proposed amendments relating to Clause 1, Clause 3, Clause 16, to create a new offence of Cyber Flashing, to place a duty on the Department of Justice to bring forward Slavery and Trafficking Risk Orders within a certain time period, to amend the Department's amendment to widen the scope of the current law on abuse of trust to specifically include those in a position of trust with young people and who would not be included in a religious or sporting description, to place a duty on the Department to provide guidance to include training and data collection on Part 1 of the Bill, to remove the defence of reasonable chastisement and to extend the statutory defence on exploitation to include Class A drugs at the meeting on Thursday 20 January 2022.

The Committee noted additional information received by Rachel Woods on the Department's amendment to extend existing revenge porn provisions to include a threat to disclose.

Agreed: The Committee agreed that it was content to support the principle of the Department's amendments that provide for a new clause covering consent to serious harm for sexual gratification is no defence, to include a threat to disclose private sexual photographs and films with intent to cause distress, to include the exclusion of the public from appeal hearings against conviction or sentence in serious sexual offence cases in the Court of Appeal as part of Clause 15 and to create a new offence of non-fatal strangulation or asphyxiation however it had not had time to consider the text of these amendments in detail, seek the views of key stakeholders and carry out adequate scrutiny therefore it would note the text and seek the



Northern Ireland
Assembly

views/comments of the PSNI, the PPS, the Bar and the Law Society on them.

The Chairperson thanked the Bill Clerk, Ms Mallon for her assistance.

3. Date, Time and Place of the next meeting

The next meeting will be held on Thursday 20 January 2022 at 2:00 p.m. in Room 30, Parliament Buildings.

The meeting was adjourned at 11:23 a.m.

Mervyn Storey MLA
Chairperson, Committee for Justice
27 January 2022