



Northern Ireland
Assembly

Committee for Justice

Minutes of Proceedings

11 January 2022

Meeting Location: Room 30, Parliament Buildings, Belfast

Present: Mr Mervyn Storey MLA (Chairperson)
Ms Sinéad Bradley MLA (by StarLeaf for part of proceedings)
Mr Peter Weir MLA

Present by Video or Teleconference:

Ms Sinéad Ennis MLA (Deputy Chairperson)
Ms Jemma Dolan 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 Clerk)

The meeting commenced at 11: 07 a.m. in closed session.

Agreed: The Committee agreed that, in accordance with normal protocol, agenda item one would take place in closed session for advice from the Assembly Bill Clerk on the Justice (Sexual Offences and Trafficking Victims) Bill.

1. Justice (Sexual Offences and Trafficking Victims) Bill – Advice from the Assembly Bill Clerk

Ms Stephanie Mallon, Assembly Bill Clerk, attended the meeting to provide advice on the Justice (Sexual Offences and Trafficking Victims) Bill.

Sinéad Ennis MLA joined the meeting at 11:14 a.m.

Sinéad Bradley MLA left the meeting at 11:26 a.m.

The Chairperson thanked Ms Mallon for her advice.

The meeting moved into public session at 11:28 a.m.

Agreed: The Committee agreed that the Informal Deliberations on the Justice (Sexual Offences and Trafficking Victims) Bill should be reported by Hansard.

On behalf of the Committee, the Chairperson expressed condolences to the Deputy Chairperson, Sinéad Ennis, on the recent death of her mother.



Northern Ireland
Assembly

2. Apologies

As above.

Sinéad Bradley MLA re-joined the meeting at 11:29 a.m.

The Chairperson informed the Committee that, under Standing Order 115(6), Emma Rogan MLA had delegated authority to Jemma Dolan MLA to vote on her behalf.

3. Justice (Sexual Offences and Trafficking Victims) Bill – Report of the Assembly Examiner of Statutory Rules on the Delegated Powers

The Committee noted the advice of the Assembly Examiner of Statutory Rules on the delegated powers in the Justice (Sexual Offences and Trafficking Victims) Bill.

4. Justice (Sexual Offences and Trafficking Victims) Bill - Research Paper on the Practice in Other Jurisdictions regarding criminalising Cyber Flashing and Deepfake Pornography

The Committee noted a research paper providing an overview of the legislative arrangements and practices in other jurisdictions in relation to Cyber Flashing and Deepfake Pornography which had been commissioned to assist consideration of issues raised in the written and oral evidence received on the Justice (Sexual Offences and Trafficking Victims) Bill.



Northern Ireland
Assembly

5. Justice (Sexual Offences and Trafficking Victims) Bill - Committee Informal Deliberations

The Committee considered the Clauses and Schedules of the Justice (Sexual Offences and Trafficking Victims) Bill, additional information provided by the Department of Justice on a range of issues requested by the Committee following the oral evidence sessions on 9 and 16 December 2021, further correspondence from CARE NI regarding proposed amendments and a number of other proposals raised in the evidence received on issues that are currently not covered in the Bill.

The following officials were available via Starleaf and provided clarification of a number of issues during the discussions:

Brian Grzymek, Deputy Director, Criminal Justice Policy and Legislation Division, Department of Justice

Lorraine Ferguson, Head of Criminal Policy Unit, Department of Justice

Ronnie Pedlow, Head of Modern Slavery and Human Trafficking Branch, Department of Justice

The officials agreed to check and confirm that the wording of Clause 8 is sufficiently clear to reflect that the list of matters relating to a suspect to which the restrictions imposed apply is not exhaustive and to consider if an addition to the Explanatory and Financial Memorandum to provide clarity would be helpful.

Agreed: The Committee agreed that it would consider potential amendments to the Bill in relation to Clause 1, Clause 3, Clause 16, to create a new offence of Cyber Flashing and to place a duty on the Department of Justice to bring forward Slavery and Trafficking Risk Orders within a certain time period.

Rachel Woods MLA left the meeting at 1:01 p.m.

The Committee considered a number of amendments the Department of Justice intended to bring forward in relation to the Justice (Sexual Offences and Trafficking



Northern Ireland
Assembly

Victims) Bill, the text of which it had provided in correspondence dated 26 November 2021 and 9 January 2022.

The Committee noted correspondence from the NSPCC, Barnardo's and the NI Commissioner for Children and Young People on the departmental amendment to extend the current scope of abuse of position of trust to include certain activities carried out in sports and faith settings.

The Committee discussed several other Issues raised in the evidence on the Justice (Sexual Offences and Trafficking Victims) Bill not currently covered in the Bill.

The meeting was suspended at 1:28 p.m.

The meeting recommenced at 1:49 p.m. in public session.

Present: Mr Mervyn Storey MLA (Chairperson)
Ms Sinéad Bradley MLA (by StarLeaf for part of proceedings)
Mr Peter Weir MLA
Ms Rachel Woods MLA

Present by Video or Teleconference:

Ms Sinéad Ennis MLA (Deputy Chairperson)
Ms Jemma Dolan MLA



Northern Ireland
Assembly

Justice (Sexual Offences and Trafficking Victims) Bill – Committee Informal Deliberations (continued)

The Committee continued its discussions on other issues raised in the evidence on the Justice (Sexual Offences and Trafficking Victims) Bill not currently covered in the Bill and the amendments the Department intended to bring forward.

Agreed: The Committee agreed that it would consider a potential amendment to widen the scope of the Department's amendment in relation to abuse of positions 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.

The Chairperson thanked the officials for their attendance.

Agreed: The Committee agreed that the meeting would move into closed session, in accordance with normal practice, to discuss the potential amendments with the Bill Clerk.

The Committee moved into closed session at 2:22 p.m.

Peter Weir MLA left the meeting at 2:31 p.m.

The Committee discussed the potential amendments with the Bill Clerk and provided instructions to prepare draft amendments relating to Clause 1, Clause 3, Clause 16, to create a new offence of Cyber Flashing and to place a duty on the Department of Justice to bring forward Slavery and Trafficking Risk Orders within a certain time period.

Sinéad Ennis MLA left the meeting at 2:51 p.m.



Northern Ireland
Assembly

In the absence of a decision-making quorum, the Committee Members present discussed the intent of a potential amendment to the Department's amendment in relation to abuse of positions of trust and agreed to return to the matter at the meeting on Thursday 13 January 2022.

The Chairperson thanked the Bill Clerk for her advice.

6. Date, Time and Place of the next meeting

The next meeting will be held on Thursday 13 January 2022 at 2.00 p.m. in the Senate Chamber, Parliament Buildings.

The meeting was adjourned at 3:04 p.m.

Mervyn Storey MLA
Chairperson, Committee for Justice
20 January 2022