



Northern Ireland
**Council for
Racial Equality**

NICRE

Submission

On

**Justice (Sexual Offences and
Trafficking Victims) Bill**

24 September 2021

Introduction

NICRE is a black led membership based organization. It is currently had 18 ethnic minority and migrant organizations as well as individuals' members. NICRE was set up to continue the policy work of the previous NICEM (NI Council for Ethnic Minority) which was under voluntary administration in November 2016.

In 2018 we made a joint submission with BME Women Network and Migrant Centre NI to Gillen Review on Serious Sexual Offences. We highlighted this important independent and comprehensive review processes in order to identify the issues of under-reporting, poor conviction rates, attrition rates and other barriers face by the black and minority ethnic women and children (BME women and children), in particular Muslim women and children.

The previous Northern Ireland Council for Ethnic Minorities (NICEM) had conducted two pieces of evidence base research on “The Protection and Rights of Black and Minority Ethnic Women Experiencing Domestic Violence in Northern Ireland” and “The Experiences of Ethnic Minority Women in Northern Ireland” in June 2013 as part of the submission to the UN Committee on the Elimination of all forms of Discrimination Against Women in June 2013. The first report was conducted by Professor Monica McWilliams and Priyamvada Yarnell and the second report was conducted by the former Deputy Director of the Runnymede Trust, the race think-tank, in UK.

We must address the Bill in the context of international human rights standards such as International Convention for the Elimination of all forms of Discrimination Against Women, International Convention for the Elimination of all forms of Racial Discrimination, International Convention on the Rights of the Child, and International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, as well as UN experts on trafficking in persons, contemporary forms of slavery and sale and sexual exploitation of children, particularly Inter-agency Coordination Against Trafficking.

We welcome the Bill improves the current legal provisions in Great Britain but not in Northern Ireland, especially the trafficking victims provision, including the Human Trafficking and Modern Slavery Action Plan on annual basis. It creates new sexual offences of voyeurism and sexual grooming.

Our Concerns

- 1. The Police Service Northern Ireland (PSNI) has no requirement of ethnic monitoring in all domestic and sexual offences against BME Women and Children, including Muslim women and children.**

In Professor Monica McWilliams’s research report “The Protection and Rights of BME Women Experiencing Domestic Violence in Northern Ireland” in 2013 highlighted that “.....data needs to be collected on BME victims engaging with, or providing evidence to, the Criminal Justice System (CJS), remains a challenge for service providers everywhere.” In contrast with the hate crime, it has a very comprehensive monitoring data. Recently the Criminal Justice Inspection Northern Ireland in October 2020 published the “Modern Slavery and Human Trafficking Inspection Report” with details of ethnic monitoring in labour exploitation, domestic servitude, sexual exploitation and criminal exploitation. It also provides the United Nations Human Trafficking Indicators.

2. Voyeurism: additional offences – genitals and buttocks/breasts are based on the consents of the victims.

The additional offences of Voyeurism are based on the consents of the victims. If the perpetrators are parents and/or legal guardian(s), the consents are not established. Therefore, we propose additional clauses to deal with parents and/or legal guardian(s).

3. Sexual grooming offences: pretending to be a child – communicating with a person with a view to grooming a particular child/communicating with a group with a view to grooming a particular child

The Sexual grooming offence is also based on the victims' consents. The same issue of parents and/or legal guardian(s) are happened in this scenario. Therefore, we propose additional clauses to deal with parents and/or legal guardian(s).

END

If you have any query about this submission, please contact Patrick Yu, the Secretary of NICRE at [REDACTED] or mobile: [REDACTED] or send letter to our office at 7 Rugby Road, Belfast BT7 1PS,