



Northern Ireland Assembly

Domestic Abuse and Family Proceedings Bill Notice of Withdrawal of Amendments tabled on 10 November 2020 for Consideration Stage

The following amendments tabled by the Minister of Justice on 3 November 2020, have now been withdrawn:

New Clause

Before clause 25 insert -

‘Enabling of information-sharing with schools etc.

24B.—(1) The Department of Justice may by regulations make provision for the purpose of or in connection with enabling or requiring a relevant person exercising public functions to inform—

- (a) a designated person in relation to a school of an incident of domestic abuse affecting a child who is a pupil of the school,
- (b) a designated person in relation to a college of an incident of domestic abuse affecting a child who is a student of the college.

(2) Here—

- (a) a relevant person exercising public functions is a person of a description, or a person acting in a particular capacity, specified in regulations under this section,
- (b) a designated person—
 - (i) in relation to a school, is a person of a description (or a person acting in a particular capacity) specified in regulations under this section,
 - (ii) in relation to a college, is a person of a description (or a person acting in a particular capacity) specified in regulations under this section,
- (c) an incident is one whether alleged or proved,
- (d) a child is a person under 18 years of age.

(3) Regulations under this section may contain provision—

- (a) describing what is, whether or not exclusively by reference to matters in Chapter 1 or 2, to be regarded as an incident of domestic abuse concerning a child,

- (b) concerning—
 - (i) pupils or students generally, or particular categories of pupil or student,
 - (ii) schools or colleges generally, or particular categories of school or college,
- (c) stating who is to be regarded as a pupil of a school or a student of a college,
- (d) setting out circumstances in or reasons for which—
 - (i) a relevant person may or must give information to a designated person,
 - (ii) a different person, including of a description specified, may or must give information to a relevant person (for example, information identifying a school or a college of which a child is a pupil or a student),
- (e) with respect to information—
 - (i) regulating or limiting the use or disclosure of information by a relevant person or a designated person,
 - (ii) specifying offences and penalties for unauthorised use or disclosure of information,
- (f) involving such further matters as the Department of Justice considers appropriate.

(4) Regulations under this section may contain provision applying in relation to an organisation of a description specified, or which provides educational or training programmes of a description specified, as if the organisation were a college or a college of a particular category (and a reference in this section to a college or a student of a college is to be read accordingly).

(5) Regulations under this section may contain provision amending statutory provisions (as construed in accordance with section 1(f) of the Interpretation Act (Northern Ireland) 1954).

(6) Regulations under this section may not be made unless a draft of the regulations has been laid before and approved by a resolution of the Assembly.’

Minister of Justice

New Clause

After clause 25 insert -

‘Report on the operation of this Part

25A.—(1) The Department of Justice must prepare a report, covering the reporting period, in relation to the following categories of offence—

- (a) an offence under section 1(1) (including where aggravated as referred to in section 8 or 9),
- (b) an offence of any kind that is aggravated as referred to in section 15.

(2) The report must set out this information—

- (a) the number of—
 - (i) offences within each of the categories as recorded by the Police Service of Northern Ireland on the basis of allegations made to them,
 - (ii) files submitted by the Police Service to the Public Prosecution Service for Northern Ireland in respect of offences within each of the categories,
 - (iii) cases prosecuted by the Public Prosecution Service for offences within each of the categories,
 - (iv) convictions in cases prosecuted by the Public Prosecution Service for offences within each of the categories,
- (b) the typical length of time, for offences within the categories as a whole—

- (i) from recording of offences by the Police Service on the basis of allegations made to them,
- (ii) to disposal of cases at court (disregarding appeal processes).

(3) The report is to include, so far as available—

- (a) information about training provided in accordance with section [24A],
- (b) information about—
 - (i) how court business is arranged so as to ensure the efficient disposal of cases for offences within the categories as a whole,
 - (ii) the experience at court of witnesses (including witnesses who are children) in cases for offences within the categories as a whole.

(4) The report is to include, in addition—

- (a) information about any—
 - (i) issuing, review or revision of guidance by the Department of Justice under section 25,
 - (ii) steps taken by the Department for raising awareness of matters relating to domestic abuse in Northern Ireland,
- (b) information about such further things as the Department considers appropriate.

(5) The report must be laid before the Assembly by the Department of Justice as soon as practicable after the report is completed by the time and in the form determined by the Department.

(6) The reporting period is the period, of not less than 2 years and not more than 3 years beginning with the day on which this Part comes into operation, as determined by the Department of Justice.’

Minister of Justice

The following amendment tabled by Miss Rachel Woods on 2 November 2020, has now been withdrawn:

As an amendment to the amendment inserting a new clause entitled ‘Report on the operation of this Act, tabled by the Chairperson of the Committee for Justice.

Subsection (2), at end insert—

‘(2A) The number of offences recorded within each police district in Northern Ireland,’

Miss Rachel Woods