From: [redacted]
Sent: 14 October 2026 11:52
To: +Comm Justice Public Email <committee.justice@niassembly.gov.uk>
Subject: Re: Criminal Justice (Sentencing etc) Bill –oral evidence further information

Dear Kathy and Thomas,

Please find attached two draft amendments (new clauses) to the Criminal Justice (Sentencing etc) Bill in respect of:

1. Restriction on the use of suspended sentences for certain offences
2. Restriction on submissions to court during mitigation regarding an offender's character, in certain circumstances

Please note these are a VERY rough draft! I am not overly familiar with the amendment and new clause drafting process in Northern Ireland, and I could not locate much open access guidance on this. I've had more experience in drafting legislative amendments at Westminster, so apologies if this is not in the right format. I hope that this is somewhat helpful to the Committee though and may assist the OLC in thinking through and drafting amendments to the Bill, if this is to occur. The Public Bills Office at Westminster have taken amendments from me in the past and conversed with me, then used the drafts for tabling or for any tweaks, if necessary. I assume it might work similarly in Northern Ireland?

Regarding the analysis around Helen's Law, this is still in process. The Parole Board reverted to me about my FOI requests, but they informed me they do not hold the data and advised I contact the Ministry of Justice. I resubmitted the FOIs there, but the response is outstanding. I will do my best to provide some analysis to the Committee, as soon as I can.

Kind regards,

[redacted]

[redacted] Head of Policy | Marie Collins Foundation | Mobile: 07760689042

[redacted]

Marie Collins Foundation

Supporting recovery from technology-assisted child sexual abuse

Limited Company number: 7657115

Charity number: 1144355

New Clause (a)

To move the following Clause—

“Restriction on the making of suspended sentence orders for Technology-Assisted Child Sexual Abuse offences

(1) After Clause 3(1)(4) insert—

(5) A court may not make a suspended sentence order where a conviction has occurred, in any court, for one or more of the following offences, —

(i) section 3 Protection of Children Act (Northern Ireland) Order 1978; or

(ii) section 14 Criminal Justice (Evidence, Etc.) (Northern Ireland) Order 1988 ; or

(iii) section 62 Coroners and Justice Act 2009

Member's explanatory statement: In recognition of the seriousness of these offences, this new clause would prohibit the use of suspended sentence orders for Technology Assisted Child Sexual Abuse offences, regardless of where the conviction and sentence occurred.

New Clause (b)

To move the following Clause—

“Restriction on the Court having regard to the character of the offender in certain circumstances

(1) After Clause 1(4)(b) insert—

(c) A court may not hear or receive oral or written submissions on the character of the offender where a conviction has occurred, in any court, for one or more of the following offences, —

(i) section 3 Protection of Children Act (Northern Ireland) Order 1978; or

(ii) section 14 Criminal Justice (Evidence, Etc.) (Northern Ireland) Order 1988 ; or

(iii) section 62 Coroners and Justice Act 2009”

Member's explanatory statement: In recognition of the seriousness of these offences against children and the proven conviction(s), this new clause would prohibit the introduction of any form of oral or written evidence during mitigation as to the offender’s character for Technology Assisted Child Sexual Abuse offences, regardless of where the conviction and sentence occurred.

Northern Ireland Assembly
Committee for Justice

[redacted]
Marie Collins Foundation
By email: [redacted]

9 October 2026

Dear [redacted]

Criminal Justice (Sentencing etc) Bill –oral evidence further information

At its meeting on 8 October 2026, the Committee for Justice considered your follow-up correspondence on the Criminal Justice (Sentencing etc) Bill provided on 30 September 2026.

The Committee welcomed your offer to provide potential draft amendments on the exclusion of good character evidence and an exemption to the use of suspended sentences for child sexual abuse material (CSAM) and technology assisted child sexual abuse (TACSA).

I would be grateful if you could provide these at your earliest convenience.

Yours sincerely

[redacted]

Kathy O'Hanlon
Clerk to the Committee for Justice

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