



Department of

Justice

An Roinn Dlí agus Cirt

Máinnystrie O tha Laa

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**FROM THE PERMANENT SECRETARY
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Jim Allister MLA
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Your Ref: JA/PM/Justice/9178

16 October 2020

Dear Mr Allister

THE FUNCTIONING OF GOVERNMENT (MISCELLANEOUS PROVISIONS) BILL

Thank you for your letter of 1 October 2020, in which you offered an overview of amendments that you intend to bring forward to the offences and penalties provisions in clauses 9 and 11 of the above Bill.

I understand that Committee Stage of the Bill has been extended to 2 December and that the Department of Finance has made written and oral representations to advocate for an administrative, rather than legislative, solution to address your concerns.

If, as a result of its scrutiny, the Committee for Finance supports your legislative approach and is persuaded that the inclusion of criminal offences and penalties in the Bill is warranted, I can advise that the Department of Justice would consider the revised criminal sanctions in your amended clauses 9 and 11 to be consistent and proportionate.

To assist with their deliberations, I propose to share a copy of this letter with the Committee for Finance.

Yours sincerely