
COMMITTEE FOR JUSTICE

JIM GAMBLE QPM, CEO OF INEQE SAFE AND SECURE

Overview of key points for Committee for Justice, Thursday 5th November.

Mr. Gamble's submission will focus on the need to amend the law relating to two specific offences, (1. The Protection of Children (Northern Ireland Order) 1978 as amended by Sexual Offences (Northern Ireland) Order 2008 and Protection from Harassment (Northern Ireland) Order 1997) and to CREATE a new law focused on inhibiting predators who masquerade (with regards to their age) online for the purpose of engaging children and young people. Whilst we provide a basic outline below, during his submission to the committee, Mr. Gamble will provide evidence to support each of his proposals.

1. The Protection of Children (Northern Ireland Order) 1978 as amended by the Sexual Offences (Northern Ireland) Order 2008 currently makes it an offence for a person below the age of 18 to take, make, show, distribute or possess an image of themselves.

Mr. Gamble proposes that this order be amended to reflect the following:

- a) A child or young person under the age of 18 who takes, makes, shows, distributes or possesses an image of themselves will commit no criminal offence.

- b) A child or young person under the age of 18 who takes, makes, shows, distributes or possesses an image of another child under the age of 18 with malicious intent does however commit a criminal offence.

2. The Protection from Harassment (Northern Ireland) Order 1997

Mr. Gamble proposes that this order should be amended or a new law created to deal with the aggravated impact when an individual or individuals use the anonymity provided by the Internet and/or the ability to create multiple online accounts to harass another person.

3. Masquerading (where a person of 18 or above, masquerades as a person below that age)

Mr. Gamble proposes that a new law be created to prohibit an individual 18 or above, who masquerades as someone below that age and engages online with an individual they know or believe to be, under the age of 18. An individual who did so would commit a criminal offence unless they can prove that they did so with reasonable cause or lawful authority. In reasonable cause defenses, the burden of proof will shift to the alleged offender.

Mr. Gamble looks forward to elaborating on each of the proposals when he gives evidence to the committee on Thursday 5th November 2015.

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