



Northern Ireland
Assembly

Justice Bill

Notice of Amendments tabled on
27 May 2015 for Consideration Stage

New Clause

After clause 85 insert -

‘Provision of health and social care information to Attorney General about direction of inquests

85A. In the Coroners Act (NI) 1959 after section 14 insert—

“Provision of information to Attorney General for purposes of section 14

14A.—(1) The Attorney General may, by notice in writing to any person who has provided health care or social care to a deceased person, require that person to produce any document or give any other information which in the opinion of the Attorney General may be relevant to the question of whether a direction should be given by the Attorney General under section 14.

(2) A person may not be required to produce any document or give any other information under this section if that person could not be compelled to produce that document or give that information in civil proceedings in the High Court.

(3) In this section—

“document” includes information recorded in any form, and references to producing a document include, in relation to information recorded otherwise than in a legible form, references to providing a copy of the information in a legible form.

(4) A person who fails without reasonable excuse to comply with a requirement under this section commits an offence and is liable on summary conviction to a fine not exceeding level 5 on the standard scale.

Review and duration of section 14A

14B.—(1) Section 14A ceases to have effect on (3 years after Royal Assent) unless, before that date, having considered the report under subsection (2), the Assembly resolves that it is to continue to have effect.

(2) The Department must, at the end of the period of 3 years beginning with the coming into operation of section 14A, review its operation and lay before the Assembly a report on that review; that report must in particular include—

(a) the number of cases in which the Attorney General compelled the provision of documents and other information;

- (b) the number of inquests the Attorney General subsequently directed;
- (c) an assessment, by an independent person appointed by the Department, of the impact of the operation of section 14A on the use of the power in section 14.”.’

Mr Raymond McCartney

Mr Seán Lynch

Mr Chris Hazzard

New Clause

After clause 71 insert -

‘PART 7A

ENDING THE LIFE OF AN UNBORN CHILD

Ending the life of an unborn child

71A.—(1) Without prejudice to section 58 and section 59 of the Offences Against the Person Act 1861 and section 25 of the Criminal Justice Act (Northern Ireland) 1945 and subject to subsection (2) any person who ends the life of an unborn child at any stage of that child’s development shall be guilty of an offence and liable on conviction on indictment to a period of not more than ten years’ imprisonment and a fine.

(2) It shall be a defence for any person charged with an offence under this section to show—

- (a) that the act or acts ending the life of an unborn child were lawfully performed at premises operated by a Health and Social Care Trust, or
- (b) that the act or acts ending the life of the unborn child were lawfully performed without fee or reward in circumstances of urgency when access to premises operated by a Health and Social Care Trust was not possible.

(3) For the purposes of this section a person ends the life of an unborn child if that person does any act, or causes or permits any act, with the intention of bringing about the end of the life of an unborn child, and, by reason of any such act, the life of that unborn child is ended.

(4) For the purposes of this section ‘lawfully’ in subsection (2) means in accordance with any defence or exception under section 58 and section 59 of the Offences Against the Person Act 1861 and section 25 of the Criminal Justice Act (Northern Ireland) 1945.’

Chair, Committee for Justice

Clause 86

The Chairperson of the Committee listed below gives notice of his intention to oppose the question that clause 86 stand part of the Bill.

Chair, Committee for Justice

Clause 87, Page 60

Leave out paragraph (b)

Chair, Committee for Justice

Clause 87, Page 60, Line 12

Leave out from 'incidental' to 'saving' and insert 'consequential and transitional'

Chair, Committee for Justice