

These notes refer to the Criminal Justice Act (Northern Ireland) 2013 (c.7)

EXPLANATORY NOTES

CRIMINAL JUSTICE ACT (NORTHERN IRELAND) 2013

INTRODUCTION

BACKGROUND AND POLICY OBJECTIVES

Sex offender notification

Human Trafficking provisions

The retention of fingerprints, samples etc

Release on licence of child convicted of serious offence

Examination of accused through intermediary

Abolition of scandalising the judiciary as a form of contempt of court

Criminal proceedings on Sunday

CONSULTATION

Consultation on sex offender notification and violent offender orders

Consultation on human trafficking provisions

Consultation on the retention of fingerprints, samples etc.

OVERVIEW

COMMENTARY ON SECTIONS

Section 1: Review of indefinite offender notification requirements

Section 2: Notification requirements: absence from notified residence

Section 3: Ending notification requirement for acts which are no longer offences

Section 4: Offences committed in a country outside the United Kingdom

Section 5: Sexual offences prevention orders

Section 6: Trafficking people for sexual exploitation

Section 7: Trafficking people for other exploitation

Section 8: Trafficking offences to be triable only on indictment

Section 9: Retention of fingerprints, DNA profiles, etc.

Section 10: Release on licence of child convicted of serious offence

Section 11: Examination of accused through intermediary

Section 12: Abolition of scandalising the judiciary as form of contempt of court

Section 13: Criminal proceedings on Sunday

Section 14: Repeals

Section 15: Commencement and transitional, etc. provisions

Schedules

Schedule 1: Schedule 3A to the Sexual Offences Act 2003, as inserted

Paragraph 1: Introductory

Paragraph 2: Initial review: applications

Paragraph 3: Initial review: determination of application

Paragraph 4: Initial review: notice of decision

Paragraph 5: Initial review: application to Crown Court

Paragraph 6: Further reviews

Paragraph 7: Guidance

Paragraph 8: Discharge in Great Britain

Schedule 2: Articles 63B to 63R of the Police and Criminal Evidence (Northern Ireland) Order 1989, as inserted

Article 63B – Destruction of fingerprints and DNA profiles: basic rule

Article 63C – Retention of Article 63B material pending investigation or proceedings

Article 63D – Retention of material: persons arrested for or charged with a qualifying offence

Article 63E – Retention of material: persons arrested for or charged with a recordable offence other than a qualifying offence

Article 63F – Retention of material: persons convicted of a recordable offence

Article 63G – Retention of material: persons convicted of an offence outside Northern Ireland

Article 63H – Retention of material: exception for persons under 18 convicted of first minor offence

Article 63I – Retention of material: persons under 18 given a caution

Article 63J – Retention of material: persons completing diversionary youth conference process

Article 63K – Retention of material: persons given a penalty notice

Article 63L – Retention of material given voluntarily

Article 63M – Retention of material with consent

Article 63N – Material obtained for one purpose and used for another

Article 63O – Destruction of copies

Article 63P – Destruction of samples

Article 63Q – Use of retained material

Article 63R – Exclusion for certain regimes

Schedule 3: Amendments: fingerprints, DNA profiles, etc.

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Schedule 4: Repeals

HANSARD REPORTS