

SCHEDULES

SCHEDULE 4

Section 28.

Offence of non-fatal strangulation or asphyxiation: consequential amendments

Police and Criminal Evidence (Northern Ireland) Order 1989 (NI 12)

1. In Article 53A (qualifying offences for particular investigative purposes), in paragraph (2)—

- (a) the second of the two sub-paragraphs numbered as (t) is renumbered as (u),
- (b) after the second of those two sub-paragraphs insert—

“(v) an offence under section 28 of the Justice (Sexual Offences and Trafficking Victims) Act (Northern Ireland) 2022 (non-fatal strangulation or asphyxiation).”.

Sexual Offences Act 2003 (c. 42)

2. In Schedule 5 (lists of offences for making particular orders), after paragraph 171G insert—

“**171H.** An offence under section 28 of the Justice (Sexual Offences and Trafficking Victims) Act (Northern Ireland) 2022 (non-fatal strangulation or asphyxiation).”.

Criminal Justice (Northern Ireland) Order 2008 (NI 1)

3. In Schedule 2 (lists of offences for sentencing matters), in Part 1—

- (a) the second of the two paragraphs numbered as 31A is renumbered as 31B,
- (b) after the second of those two paragraphs insert—

“The Justice (Sexual Offences and Trafficking Victims) Act (Northern Ireland) 2022

31C. An offence under section 28 (non-fatal strangulation or asphyxiation).”.

Domestic Violence, Crime and Victims Act 2004 (c. 28)

4. In section 7A (certain rules of evidence and procedure), after paragraph (b) of subsection (2) insert—

- “(c) an offence under section 28 of the Justice (Sexual Offences and Trafficking Victims) Act (Northern Ireland) 2022 (non-fatal strangulation or asphyxiation).”.

Law Reform (Miscellaneous Provisions) (Northern Ireland) Order 2006 (NI 14)

5. In Article 2 (unjustifiable punishment of children), in paragraph (2)—

(a) omit the “and” preceding sub-paragraph (e),

(b) after sub-paragraph (e) insert—

- “(f) an offence under section 28 of the Justice (Sexual Offences and Trafficking Victims) Act (Northern Ireland) 2022 (non-fatal strangulation or asphyxiation).”.