

These notes refer to the Justice (Sexual Offences and Trafficking Victims) Act (Northern Ireland) 2022 (c.19) which received Royal Assent on 27 April 2022

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

EXPLANATORY NOTES

SCHEDULES

Schedule 4: Offence of non-fatal strangulation or asphyxiation: Consequential Amendments

Schedule 4 makes amendments to other enactments consequential on the new offence of non-fatal strangulation or asphyxiation, adding it to lists of offences of violence, which are prescribed for other purposes, including:

- calculating the timescales for retention of forensic data;
- the application of notification orders, SOPOs, foreign travel orders, risk of sexual harm orders etc.;
- the imposition of extended custodial sentences;
- allowing the court or jury to draw inferences from the defendant's failure to give evidence or refusal to answer a question when charged with strangulation causing or allowing a child or vulnerable adult to die or suffer serious harm; and
- ensuring that battery of a child cannot be justified on the ground that it constituted reasonable punishment.