LCM:.

Stormont Hotel at 11 suit?

**From:** Jeffrey Dudgeon [mailto:jeffreydudgeon@hotmail.com]   
**Sent:** 22 November 2016 16:57  
**To:** Patterson, Amanda  
**Subject:** Re: NI amendments to Policing and Crime Bill

What ever suits you. City Hall, Lisburn Road, Stormont or say Bells.  
  
-------- Original message --------  
From: "Patterson, Amanda" <[Amanda.Patterson@justice-ni.x.gsi.gov.uk](mailto:Amanda.Patterson@justice-ni.x.gsi.gov.uk)>   
Date: 11/22/2016 4:41 pm (GMT+00:00)   
To: 'Jeffrey Dudgeon' <[jeffreydudgeon@hotmail.com](mailto:jeffreydudgeon@hotmail.com)>   
Subject: RE: NI amendments to Policing and Crime Bill

Perhaps a coffee mid morning tomorrow? Where would be convenient?

**From:** Jeffrey Dudgeon [<mailto:jeffreydudgeon@hotmail.com>]   
**Sent:** 22 November 2016 16:39  
**To:** Patterson, Amanda  
**Subject:** Re: NI amendments to Policing and Crime Bill

I could see you tomorrow before noon or take a call but not tonight until about 6pm.

**From:** Patterson, Amanda <[Amanda.Patterson@justice-ni.x.gsi.gov.uk](mailto:Amanda.Patterson@justice-ni.x.gsi.gov.uk)>  
**Sent:** 22 November 2016 16:33  
**To:** 'Jeffrey Dudgeon'  
**Subject:** RE: NI amendments to Policing and Crime Bill

Jeff

Could we have a word on the phone or meet for a quick chat?  Would that be convenient for you?

Time is not on our side….

Amanda

**Amanda Patterson,** Head of Criminal Policy Branch, Department of Justice NI, Massey House, Stoney Road, Belfast, BT4 4SX

Tel: +44 (0) 2890169601, Mobile: 07989170022, e-mail**:** [amanda.patterson@justice-ni.x.gsi.gov.uk](mailto:amanda.patterson@dojni.x.gsi.gov.uk)

**From:** Jeffrey Dudgeon [<mailto:jeffreydudgeon@hotmail.com>]   
**Sent:** 22 November 2016 10:07  
**To:** Patterson, Amanda  
**Subject:** NI amendments to Policing and Crime Bill

Thanks Amanda.

Good to know you are still working in the field. (I saw your name also mentioned in relation to abortion law but that is another matter.)

Should the issue of the protection of young people of 16 or 17 come up in debate it is worth remembering that they themselves were criminalised, not just the other party, and on occasion in the past charged.

That this Assembly endorses the principle of the extension to Northern Ireland of a number of provisions within the Policing and Crime Bill, by amendment at Lords Committee and Lords Report Stage, insofar as they relate to UK maritime enforcement powers; UK cross jurisdictional arrest powers; anonymity for victims of forced marriage and pardons for convictions of certain abolished offencesThe 2000 Sexual Offences (Amendment) Act that reduced the age of consent below 18, and extended to NI, also introduced the offence of abuse of position of trust in relation to someone working in education and in a residential setting with 16 or 17 year olds.

A person aged over 18 convicted of or cautioned for sexual activity involving such abuse of trust (with a 16 or 17 year old) is therefore not eligible for a disregard in these changes.   
Those offences are not specified in the Protection of Freedoms Act 2012 because they involve conduct between a person over 18 and another person between 16 and 17 for which the consent of the younger party is irrelevant to the issue of the liability of the older party.  
Best wishes  
Jeff

**From:** Patterson, Amanda <[Amanda.Patterson@justice-ni.x.gsi.gov.uk](mailto:Amanda.Patterson@justice-ni.x.gsi.gov.uk)>  
**Sent:** 22 November 2016 09:38  
**To:** 'Jeffrey Dudgeon'  
**Subject:** RE: NI amendments to Policing and Crime Bill

Hello Jeff

Yes, still here beavering away, I’m afraid to say. I’ve just seen your email as I was out of the office yesterday.

I would certainly welcome a word once I’ve had a chance to have a look at the detail, and on one or two other points.  If you don’t mind I’ll give you a ring later today or tomorrow.

Many thanks.

Amanda

**Amanda Patterson,** Head of Criminal Policy Branch, Department of Justice NI, Massey House, Stoney Road, Belfast, BT4 4SX

Tel: +44 (0) 2890169601, Mobile: 07989170022, e-mail**:** [amanda.patterson@justice-ni.x.gsi.gov.uk](mailto:amanda.patterson@dojni.x.gsi.gov.uk)

**From:** Jeffrey Dudgeon [<mailto:jeffreydudgeon@hotmail.com>]   
**Sent:** 21 November 2016 12:51  
**To:** Patterson, Amanda  
**Subject:** NI amendments to Policing and Crime Bill

Amanda,

Your name flashed up in the Justice Committee minutes when it discussed the gay pardons and disregards' LCM on 10 November, and I gradually recalled our discussions of over a dozen years ago on the SOA 2003.

Deja vu all over again as they say.

It all seems to be progressing well, once the Minister decided to include us in the Policing and Crime Bill after Lord Lexden tabled his amendments.

There remains one other aspect which may get adopted and those are the amendments tabled by Lord Cashman on public order type offences.

I gather Baroness Williams, the Home Office Minister is meeting him today to discuss the matter. Professor Paul Johnson who drafted the Lexden amendments for me has been working on that aspect too and has put together a general expert opinion for them which I am attaching.

There would probably need to be a final twist to the list of statutes to be amended for Northern Ireland if they go ahead.

Paul reckons this would involve "Section 1(1)(b) Vagrancy Act 1898, which applied to Ireland by section 7(3) Criminal Law Amendment Act 1912, and spoke of, ‘Every male person who [. . . ] in any public place persistently solicits or importunes for immoral purposes’. The offence was repealed in the Sexual Offences Act 2003."

The LCM strikes me as general enough, speaking as it does of the "principle of the extension to Northern Ireland of a number of provisions" etc, to be able to be inclusive of this.

Paul has made it very clear that we are talking here only of public order offences that would no longer be subject to criminal proceedings.

Happy to discuss.

Best wishes

Jeff Dudgeon

Tel 079 2125 1874