

DÁIL ÉIREANN

AN BILLE UM CHEARTAS COIRIÚIL 2004 —ROGHCHOISTE

CRIMINAL JUSTICE BILL 2004 —SELECT COMMITTEE

Leasuithe Breise
Additional Amendments

SECTION 14

74a. In page 18, line 5, to delete “statement” where it secondly occurs and substitute “statement,”.

—Jim O’Keeffe.

74b. In page 18, line 11, to delete “may” and substitute “may,”.

—Jim O’Keeffe.

74c. In page 18, line 11, to delete “means” and substitute “means,”.

—Jim O’Keeffe.

SECTION 15

76a. In page 18, subsection (1), line 17, to delete “admitted” and substitute “admitted,”.

—Jim O’Keeffe.

76b. In page 18, subsection (1), line 17, to delete “section” and substitute “section,”.

—Jim O’Keeffe.

76c. In page 18, subsection (1), line 18, to delete “it” and substitute “it,”.

—Jim O’Keeffe.

77a. In page 18, subsection (2)(c)(ii), line 35, to delete “that” and substitute “that,”.

—Jim O’Keeffe.

[SECTION 15]

77b. In page 18, subsection (2)(c)(ii), line 36, to delete “made” and substitute “made,”.

—Jim O’Keeffe.

77c. In page 18, subsection (3), line 38, to delete “reliable” and substitute “reliable,”.

—Jim O’Keeffe.

77d. In page 18, subsection (3)(a), line 40, to delete “affirmation” and substitute “affirmation,”.

—Jim O’Keeffe.

78a. In page 19, subsection (3)(b)(i), line 6, to delete “which” and substitute “that”.

—Jim O’Keeffe.

79a. In page 19, subsection (4)(a), line 15, to delete “that” and substitute “that,”.

—Jim O’Keeffe.

79b. In page 19, subsection (4)(a), line 15, to delete “justice” and substitute “justice,”.

—Jim O’Keeffe.

79c. In page 19, subsection (4), lines 17 and 18, to delete paragraph (b) and substitute the following:

“(b) having regard to other evidence given in the proceedings, that its admission is unnecessary.”.

—Jim O’Keeffe.

79d. In page 19, subsection (5), lines 19 and 20, to delete “statement” and substitute “statement,”.

—Jim O’Keeffe.

SECTION 24

247a. In page 25, before section 24, but in Part 5, to insert the following new section:

“Reckless endangerment of children.

24.—(1) In this section—

[SECTION 24]

“abuser” means an individual believed by a person who has authority or control over that individual to have seriously harmed or sexually abused a child or more than one child;

“child” means a person under 18 years of age, except where the context otherwise requires;

“serious harm” means injury which creates a substantial risk of death or which causes permanent disfigurement or loss or impairment of the mobility of the body as a whole or of the function of any particular member or organ;

“sexual abuse” means an offence under paragraphs 1 to 13 and 16(a) and (b) of the Schedule to the Sex Offenders Act 2001.

(2) A person, having authority or control over a child or abuser, who intentionally or recklessly endangers a child by—

(a) causing or permitting any child to be placed or left in a situation which creates a substantial risk to the child of being a victim of serious harm or sexual abuse, or

(b) failing to take reasonable steps to protect a child from such a risk while knowing that the child is in such a situation,

is guilty of an offence.

(3) Where a person is charged with an offence under *subsection (2)*, no further proceedings in the matter (other than any remand in custody or on bail) shall be taken except by or with the consent of the Director of Public Prosecutions.

(4) A person guilty of an offence under this section is liable on conviction on indictment, to a fine or to imprisonment for a term not exceeding 10 years or both.”.

—Joe Costello.