



SEANAD ÉIREANN

**AN BILLE UM CHIONTÓIRÍ GNÉIS (LEASÚ), 2021
SEX OFFENDERS (AMENDMENT) BILL 2021**

**LEASUITHE TUARASCÁLA
REPORT AMENDMENTS**

SEANAD ÉIREANN

AN BILLE UM CHIONTÓIRÍ GNÉIS (LEASÚ), 2021 —AN TUARASCÁIL

SEX OFFENDERS (AMENDMENT) BILL 2021 —REPORT

Leasuithe Amendments

**Government amendments are denoted by an asterisk*

1. In page 7, between lines 31 and 32, to insert the following:

“(2) By the insertion of the following subsection after subsection (2):

- “(3) (a) Any person suspected of having committed any sexual offence shall not be tried by court-martial in a military court and shall be tried in the relevant civilian court.
- (b) Military police shall be required to refer any case in which a member of *Óglaigh na hÉireann* is suspected of having committed any sexual offence including on overseas service to An Garda Síochana, in Ireland or on repatriation to Ireland.
- (c) In this subsection, ‘sexual offence’ means any activity where a reasonable person would consider that—
 - (i) whatever its circumstances or the purpose of any person in relation to it, the activity is because of its nature sexual, or
 - (ii) because of its nature the activity may be sexual and because of its circumstances or the purposes of any person in relation to it (or both) the activity is sexual.”.

—*Senators Tom Clonan, Sharon Keogan, Victor Boyhan, Gerard P. Craughwell.*

2. In page 31, after line 3, to insert the following:

“PART 4

MISCELLANEOUS

Report on prosecution of sexual offences in Irish Defence Forces

31. (1) The Minister shall, within 12 months of the passing of this Act, produce a report detailing issues with trialling a person accused of having committed any sexual offence by court-martial.
- (2) The report shall list possible reforms that can be made both by legislation voted on by

the Executive and regulations set by the Department.

- (3) The report should consider the possibility of releasing information annually about the numbers of Defence Forces personnel subject to notification requirements listed in the Executive Act.
- (4) The Minister shall also liaise with the Minister for Defence to create the report before it is submitted to the Houses of the Oireachtas.”.

—*Senators Tom Clonan, Sharon Keogan, Victor Boyhan, Gerard P. Craughwell.*