



Northern Ireland  
Assembly

## Committee for Justice

### Minutes of Proceedings

**Thursday 6 November 2025**

**Room 30, Parliament Buildings, Belfast**

**Present:**

Paul Frew MLA (Chairperson)

Dierdre Hargey MLA (Deputy Chairperson)

Maurice Bradley MLA

Ciara Ferguson MLA

Brian Kingston MLA

Patsy McGlone MLA

**Present by Video or Teleconference:**

Danny Baker MLA

Doug Beattie MLA

Connie Egan MLA

**In Attendance:**

Kathy O'Hanlon (Assembly Clerk)

Thomas McKillop (Senior Assistant Assembly Clerk)

Gareth Black (Assistant Assembly Clerk)

Easton Vance (Clerical Supervisor)

Aaron Pakenham (Clerical Officer)

*The meeting commenced at 2.01pm in closed session.*

## **1. Apologies**

There were no apologies.

*Danny Baker joined the meeting at 2:02pm.*

## **2. Justice Bill – Delegate Powers Update**

Members noted a paper prepared by the Senior Assistant Clerk reviewing the advice so far given to the Committee by the Examiner of Statutory Rules on delegated powers contained within the Justice Bill and the planned Departmental amendments.

### **Agreed:**

To ask the Department of Justice for the following:

- clarification on the circumstances that it is envisaged may be prescribed by New Article 63G(4)(b) for an application for the retention of biometric material when a person is arrested for a qualifying offence other than an excepted offence but not charged with that offence;
- in relation to New Article 63R(4), why the Department proposes to amend the list of notification requirements by way of delegated legislation, rather than adding to the list by way of primary legislation; and whether it is intended that

the power is used to add only newly-created requirements or to add existing notification requirements which have not yet been included;

- clarification of the type of matters that may be set out in regulations that a court or tribunal must have regard to before giving a live link direction; and

*Pasty McGlone joined the meeting at 2.10pm.*

- to consider amending the power to amend the list of non-filterable offences included in the AccessNI Filtering of Provisions amendment from the negative resolution procedure to the draft affirmative procedure.

*The meeting moved to public session at 2.12pm.*

**Agreed:** That the joint oral evidence session with officials from the Department of Justice and the Department of Health on Reasonable Chastisement / Equal Protection, will be recorded by Hansard.

*Danny Baker declared an interest in relation to an immediate family member who works for the Probation Board for Northern Ireland.*

### **3. Draft Minutes**

**Agreed:** The Committee agreed the minutes of the meeting held on Thursday 23 October 2025.

#### **4. Matters Arising**

There were no matters arising.

#### **5. Justice Bill – Reasonable Chastisement / Equal Protection – Department of Justice and Department of Health joint oral evidence session.**

The following witness joined the meeting at 2.15pm:

Andrew Dawson, Director of Criminal Justice Policy and Legislation Division, Department of Justice;  
Dr Oisin Martin, Co Director, Strategic Planning and Performance Group, Department of Health;  
Pamela Mooney, Social Work Lead for Family Support and Safeguarding Children's Team, Strategic Planning and Performance Group, Department of Health; and  
Natalie Whelehan, CEO, Children in Northern Ireland

The witnesses provided oral evidence on aspects of repealing the common law defence of reasonable chastisement to provide equal protection for children.

The oral evidence was followed by a question-and-answer session.

The evidence session was recorded by Hansard.

During the session, the officials agreed to provide the following:

- Further information on impacts and outcomes in Wales following the repeal of the defence of reasonable chastisement.
- Why the Public Prosecution Service case management system does not enable cases where reasonable chastisement was used as a defence to be identified.

- Whether the Minister of Health was supportive of the repeal of the defence of reasonable chastisement when the Justice Minister proposed the measure to the Executive Committee.

The Chairperson thanked the witness and they left the meeting at 3.41pm.

## **6. Justice Bill — written papers**

### **6.1 and 6.2 Department of Justice Responses regarding Crime and Policing Bill Second LCM – Barred and Advisory List**

The Committee considered an initial response from the Department of Justice in relation to questions it had asked about the potential of bringing forward provision to create Barred and Advisory lists for Northern Ireland by way of an amendment to the Justice Bill or another item of primary legislation, which indicated that the Minister of Justice did not intend to table the amendment. However, the Department requested that the response was withdrawn.

The response was provided to the Committee for a decision under Standing Order 46(8).

**Agreed:** That the Department's initial response be withdrawn.

The Committee noted a revised response from the Department confirming that the Minister intends to bring forward provisions to create Barred and Advisory Lists for Northern Ireland by way of amendment to the Justice Bill.

### **6.3 Department of Justice Response regarding Justice Bill Clause 28 – Taxation Figures – Restriction on ordering taxation of legal aid costs**

The Committee noted a response from the Department of Justice to its request for updated statistical data on the taxation of legal aid costs for the past three years as part of its consideration of Clause 28 of the Justice Bill.

#### **6.4 Police Service of Northern Ireland – Response regarding Community Resolution Notices**

The Committee noted a response from the PSNI providing procedural and operational information in relation to the issuing of Community Resolution Notices (CRN).

**Agreed:** To forward the PSNI's response to Northern Ireland Alternatives and Community Restorative Justice Ireland.

**Agreed:** To ask the PSNI to confirm the point of contact for Out of Courts Disposal team.

#### **6.5 Individual – Response regarding Justice Bill: Call for Evidence**

The Committee considered further correspondence from an individual regarding their response to the Justice Bill Call for Evidence, which made specific reference to a recommendation in an earlier Health Committee report that the restriction on the voluntary sector from providing secure care accommodation should be lifted.

**Agreed:** To ask the Department of Health for information on any action that was taken in respect of that recommendation.

#### **6.6 Justice Bill – Requests for further information table**

The Committee noted a document prepared by the Committee team which tracks Committee requests and responses received in relation to the Justice Bill.

### **7. SR 2025/166 The Enforcement of Fines and Other Penalties (Amendment) Regulations (Northern Ireland) 2025**

The Committee considered Statutory Rule SR2025/166 The Enforcement of Fines and Other Penalties (Amendment) Regulations (Northern Ireland) 2025. The Rule will increase the levels of charges set by the Department in relation to

the removal, storage and disposal of seized vehicles in specified circumstances by 28%, to reflect inflation and increased operational costs from 2008, and to maintain parity with England and Wales. The Rule is subject to the negative resolution procedure.

The Committee noted that the Examiner of Statutory Rules had raised no issues with regard to the technical aspects of the Rule.

**Agreed:** The Committee for Justice has considered SR 2025/166 The Enforcement of Fines and Other Penalties (Amendment) Regulations (Northern Ireland) 2025 and has no objection to the Rule.

**8. SR 2025/167 The Criminal Justice (Northern Ireland) Order 2008 (Retention and Disposal of Seized Motor Vehicles) (Amendments) Regulations (Northern Ireland) 2025**

The Committee considered Statutory Rule SR2025/167 The Criminal Justice (Northern Ireland) Order 2008 (Retention and Disposal of Seized Motor Vehicles) (Amendments) Regulations (Northern Ireland) 2025. The Rule will increase the levels of fees set by the Department in relation to the removal and storage of vehicles in specified circumstances by 28%. The Rule is subject to the negative resolution procedure.

The Committee noted that the Examiner of Statutory Rules had raised no issues with regard to the technical aspects of the Rule.

**Agreed:** The Committee for Justice has considered SR 2025/167 The Criminal Justice (Northern Ireland) Order 2008 (Retention and Disposal of Seized Motor Vehicles) (Amendments) Regulations (Northern Ireland) 2025 and has no objection to the Rule.

**9. SR 2025/168 The Road Traffic (Northern Ireland) Order 1981 (Retention and Disposal of Seized Motor Vehicles) (Amendment) Regulations (Northern Ireland) 2025**

The Committee considered SR 2025/168 The Road Traffic (Northern Ireland) Order 1981 (Retention and Disposal of Seized Motor Vehicles) Regulations (Northern Ireland) 2025. The Rule will increase the levels of fees set by the Department in relation to the removal and retention of seized vehicles in specified circumstances by 28%. The Rule is subject to the negative resolution procedure.

The Committee noted that the Examiner of Statutory Rules had raised no issues with regard to the technical aspects of the Rule.

**Agreed:** The Committee for Justice has considered SR 2025/168 The Road Traffic (Northern Ireland) Order 1981 (Retention and Disposal of Seized Motor Vehicles) Regulations (Northern Ireland) 2025 and has no objection to the Rule.

**10. Northern Ireland Troubles Bill – Legislative Consent – Memorandum laid under Standing Order 42A (4)(b)**

The Committee noted correspondence from the Minister of Justice informing Members that the Northern Ireland Troubles Bill, recently introduced by the UK Government at Westminster, confers a range of responsibilities on the Northern Ireland judiciary, justice agencies and ALBs which are currently unfunded, and the Department has no policy, legislative or financial control over any aspect of the Bill. The Minister advised that she cannot support the Bill on these terms and, therefore, plans to lay a memorandum under Standing Order 42A(4)(b) explaining why a legislative consent motion is not being sought at this time.

**11. Legal Aid – Remuneration proposals – Department of Justice written paper**

The Committee noted a written paper from the Department of Justice advising of its intention to bring forward a Direction for legal aid fees in respect of a Better

Case Management pilot, which will operate in Antrim Magistrates' Court from 4 February 2026 until the planned commencement of direct committal in November 2026. The Direction, supported by impact assessments, will be subject to a short, targeted consultation with statutory consultees which will run from 10 November to 5 December 2025.

The Committee also noted a response from the Department to its requests for further information on discussion with stakeholders on the impact that the delay in progressing the uplift to legal aid fees is having, and for further clarity on the timescale for completion of the necessary business case.

## **12. Five Year Plan – Draft Department of Justice Plan – Department of Justice written paper**

The Committee noted a draft Five Year Departmental Plan prepared by the Department of Justice setting out its strategic direction over the five-year period 2025-26 to 2029-30, including projected Resource and Capital DEL requirements.

The Chairperson expressed appreciation for the long-term strategic planning being conducted, in view of potential multi-year budgets.

## **13. Personal Injury Discount Rate – Consultation on how inflation is taken into account in the setting of the rate – Department of Justice written paper**

The Committee noted a written paper from the Department of Justice advising of its intention to issue a public consultation on options for providing more flexibility in how inflation is allowed for by the Government Actuary when reviewing the personal injury discount rate.

## **14. Correspondence**

The Committee considered the following items of correspondence:

- Call for Evidence on the Water, Sustainable Drainage and Flood Management Bill from the Committee for Infrastructure.

**Agreed:** To return a nil response to the Call for Evidence.

- Two items of correspondence from an individual regarding a personal matter, one of which was forwarded to the Committee by the Committee for the Executive Office.

**Agreed:** To respond to the Committee for the Executive Office outlining the Committee's agreed position on the matter.

- Further correspondence from an individual regarding a personal matter, which included a number of additional questions for the Department of Justice.

**Agreed:** To forward the further questions from the individual to the Department of Justice.

- Correspondence from an individual concerning a personal matter regarding the PSNI handling of a workplace assault.

**Agreed:** To advise the individual that the Committee cannot intervene in, investigate or adjudicate on individual cases but that they may wish to consider other legal or administrative remedies, including the Police Ombudsman for Northern Ireland.

- Further correspondence from an individual regarding a personal matter.

**Agreed:** To again respond to the individual advising that the Committee cannot intervene in, investigate or adjudicate on individual cases.

- Correspondence from Pasty McGlone MLA regarding a decision by the Victim's Payment Board (VPB) not to make an award.

**Agreed:** To ask Department of Justice for clarity on whether changes to the processes and implementation of the scheme can be made locally by the Department or if they can only be made at Westminster.

- Copy correspondence from an individual to Minister Simon Harris regarding a Judicial Review of the operations of the Victim's Payment Board.

**Agreed:** To consider the matter further when the outcome of the Judicial Review is available.

- Correspondence from the Northern Ireland Judicial Appointments Commission (NIJAC) advising that, in view of the low number of Members who had confirmed attendance, it is not proceeding with an informal event for the Justice Committee and the Committee for the Executive Office that had been scheduled for 17 November 2025.

**Agreed:** To explore scheduling an informal session for Justice Committee Members and Members of the Committee for the Executive Office to meet with Commissioners and Senior Staff of NIJAC.

- Invitation from The Bar of Northern Ireland to The Rule of Law in Perspective event and panel on Understanding the Rule of Law at the Inn of Court, Belfast on 12 November 2025.

**Agreed:** Members agreed that, if they wish to attend, they will RSVP themselves.

- Invitation from the Evangelical Alliance to their 'Igniting a Response to the Lost Boys Crisis in Northern Ireland' event.

**Agreed:** Members agreed that, if they wish to attend, they will RSVP themselves.

The Committee noted the following items of correspondence:

- Department of Justice publication of Accredited Official Statistics Publication – Northern Ireland Prison Population 2024/2025.
- Department of Justice update on Public Sector Transformational Bids.
- Committee for Finance - 2025-2026 Public Expenditure Outturn and Forecast Overrun – September position.
- Committee for Finance - 2025-2026 December Monitoring Round.
- Copy correspondence from the Committee for the Executive Office to The Executive Office regarding the Ending Violence Against Women and Girls (EVAWG) Strategy and domestic abuse in family courts.
- Probation Board for Northern Ireland - Consultation to develop new Corporate Plan.
- An art print by George H Smyth.
- An Invitation from the Northern Ireland Human Rights Commission to the launch of Annual Human Rights Statement 2025
- Invitation from the NSPCC to the launch of 'Take 5 Seconds' – positive parenting campaign.

## **15. Forward Work Programme**

The Committee noted that two oral evidence sessions have been scheduled for 13 November 2025 on the Repeal of Vagrancy amendment to the Justice Bill.

## **16. Chairperson's Business**

There was no Chairperson's business.

## **17. Any Other Business**

There was no other business.

## **18. Date, Time and Place of the next meeting**

Members were advised that next meeting will take place on Thursday 13 November at 2.00pm in Room 30, Parliament Buildings.

The Meeting was adjourned at 4.18pm.

**Paul Frew MLA**

**Chairperson, Committee for Justice**

**13 November 2025**