



Northern Ireland
Assembly

Committee for Justice

Minutes of Proceedings

Thursday 19 June 2025

Room 30, Parliament Buildings, Belfast

Present:

Joanne Bunting MLA (Chairperson)

Deirdre Hargey MLA (Deputy Chairperson)

Stephen Dunne MLA

Connie Egan MLA

Ciara Ferguson MLA

Present by Video or Teleconference:

Justin McNulty MLA

Doug Beattie MLA

Maurice Bradley MLA

Apologies:

Danny Baker MLA

In Attendance:

Kathy O'Hanlon (Assembly Clerk)

Thomas McKillop (Senior Assistant Assembly Clerk)

Jonny Redpath (Assistant Assembly Clerk)

Gareth Black (Assistant Assembly Clerk)

Stephen Corr (Clerical Supervisor)

Aaron Pakenham (Clerical Officer)

Agreed: That the meeting should begin in closed session for a briefing from Assembly Legal Services regarding Repeal of Vagrancy Legislation, Serious Organised Crime, and AccessNI Amendments to the Justice Bill.

The meeting commenced at 2:11pm in closed session.

1. Apologies.

As above.

2. Justice Bill – Repeal of Vagrancy Legislation, Serious Organised Crime and AccessNI Amendments – Assembly Legal Services oral briefing

Simon Kelly, a Legal Adviser with Assembly's Legal Services Office, joined the meeting at 2:12pm.

The official provided an analysis of the proposed Repeal of Vagrancy Legislation, Serious Organised Crime and AccessNI amendments to the Bill.

The briefing was followed by a question-and-answer session.

The Chairperson thanked the official and he left the meeting at 2:45pm.

Agreed: To ask the Department of Justice for further information on the proposed organised crime amendment and alignment and coordination with the Republic of Ireland to ensure there are no gaps in provision.

The meeting moved into public session at 2:45pm.

Agreed: That the oral evidence session with the Department of Justice on the Domestic Abuse and Civil Proceedings Act (Northern Ireland) 2021 – Post-Legislative Scrutiny will be recorded by Hansard.

Joanne Bunting declared an interest in relation to an immediate family member who works in the legal profession.

The Chairperson noted that a number of Committee Members are members of the All Party Group on Access to Justice.

3. Draft Minutes.

Agreed: The Committee agreed the minutes of the meeting held on Thursday 12 June 2025.

4. Matters Arising.

There were no matters arising.

5. Domestic Abuse and Civil Proceedings Act (Northern Ireland) 2021 – Post-legislative Scrutiny – Department of Justice oral evidence

Julie Wilson, Head of Victims Support Division; Emma Crozier, Head of Violence against the Person Branch, Victims Support Division; John Bradley, Head of Civil Legal Aid Reform; and Jane Maguire, Head of Civil and Family Courts Branch, Department of Justice, joined the meeting at 2:48pm.

The witnesses provided an oral update on post-legislative scrutiny of the Domestic Abuse and Civil Proceedings Act (Northern Ireland) 2021, as well as other matters relating to domestic abuse.

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

The officials agreed to keep the Committee updated on work relating to the review of the Multi-Agency Risk Assessment Conference (MARAC). The officials also agreed to liaise with the Public Prosecution Service (PPS), the Northern Ireland Courts and Tribunals Service and the PSNI as appropriate to provide the following:

- an update on the review of the service level agreement between the PSNI and the PPS;
- information on why the PPS cannot commit to provide feedback to the PSNI in cases where the Domestic Abuse Offence or an aggravator has been missed and how this will be rectified;
- an update on work being done to improve the recording of domestic abuse aggravators by the Northern Ireland Courts and Tribunals Services;
- clarification on work being done to address concerns in the Criminal Justice Inspection Northern Ireland (CJINI) report that there has been no meaningful progress in respect of operational recommendation 3 with regard to training for PSNI officers and others working in contact management roles;
- an update on cross-departmental working to improve some of the areas of concern raised in the CJINI report.

The evidence session was recorded by Hansard.

The Chairperson thanked the witnesses and they left the meeting at 4:08pm.

Agreed: To move into closed session for a briefing from the Examiner of Statutory Rules regarding SL1 — The Police and Criminal Evidence (Northern Ireland) Order (Codes of Practice) Order 2025.

6. SL1 — The Police and Criminal Evidence (Northern Ireland) Order (Codes of Practice) Order 2025 — Examiner of Statutory Rules legal advice

Angela Kelly, the Northern Ireland Assembly's Examiner of Statutory Rules, joined the meeting at 4:08pm.

The official provided Members with a briefing on the legal advice requested by the Committee in relation to the SL1 — The Police and Criminal Evidence (Northern Ireland) Order (Codes of Practice) Order 2025.

The briefing was followed by a question-and-answer session.

The Chairperson thanked the official and she left the meeting at 4:25pm.

The meeting moved into public session at 4:46pm.

7. SL1 — The Police and Criminal Evidence (Northern Ireland) Order (Codes of Practice) Order 2025

The Committee considered the Department of Justice's proposal to make a Statutory Rule under powers conferred by the Police and Criminal Evidence (Northern Ireland) Order 1989 (PACE NI), including potential options from the Minister of Justice for ways forward on amendments to Annexes to a number of the PACE Codes.

Members noted the PSNI's response to the queries raised and the list of questions issued to the Department of Justice following the oral evidence session with Departmental officials on 22 May 2025.

The Chairperson advised Members that the Committee was still waiting for the PSNI to provide its view of the proposal to replace some text in certain Annexes with "under review"; however, the Department of Justice has provided updated drafts of these Annexes since that correspondence was issued to the PSNI.

Agreed: To seek the views of the PSNI and the Police Federation for Northern Ireland on the Department of Justice's updated draft of the Annexes.

Agreed: To ask the Department of Justice for an update on any engagement with the Home Office, particularly in relation to stop and search, reserved matters and new Code I; and for clarification of when the Equality Commission's guidance on the Supreme Court judgement in *For Women Scotland Ltd vs The Scottish Ministers* is expected to be issued.

Agreed: To consider the Police and Criminal Evidence (Northern Ireland) Order (Codes of Practice) Order 2025 at the Committee meeting on 3 July 2025 when the remaining responses and the further information requested should be available.

8. SL1 — The Planning Fees (Deemed Planning Applications and Appeals) (Amendment) Regulations (Northern Ireland) 2025

The Committee considered a paper from the Department of Justice advising that it proposes to make a Statutory Rule under powers conferred by section 223(7) of the Planning Act (Northern Ireland) 2011 to increase the fees payable in relation to applications and appeals to the Planning Appeals Commission. The Rule will be subject to the negative resolution procedure.

The Committee noted the post-consultation document providing a report on the consultation by the Department with councils and other stakeholders between 28 October 2024 and 3 January 2025.

Agreed: That the Committee is content with the proposal for the Statutory Rule.

9. Police Service of Northern Ireland Retention and Disposal schedule

The Committee considered the PSNI's Retention and Disposal Schedule, which is required to be laid before the Northern Ireland Assembly under Section 8(2) of the Public Records Act (Northern Ireland) 1923, and in accordance with the Rules of the Disposal of Documents Order 1925, by the Public Records Office of Northern Ireland (PRONI). The Retention and Disposal Schedule is subject to the negative resolution procedure.

The Committee also considered a written response from the PSNI providing information on a number of matters as requested at the meeting on 29 May 2025.

The Deputy Chairperson highlighted that the response from the PSNI contained helpful information but indicated that she would propose that the Committee requested further information relating to number of matters, including: fingerprints, the Terrorism Act 2000 (TACT) and the Protection of Freedoms Act 2012; how TACT and PACE biometrics taken prior to 31 October 2013 are protected by the Northern Ireland Troubles (Legacy and Reconciliation Act) 2023 and what happens to those biometrics once the Independent Commission for Reconciliation and Information Recovery has completed its work; clarity of what is meant by an "ongoing business need" in respect of domestic or child sex abuse records; and if the Northern Ireland Human Rights Commission has provided a view on the Schedule.

The Clerk advised members that the Committee would be unlikely to receive a response from the PSNI to a request for further information before the expiry of the statutory period within which the Retention and Disposal Schedule could be annulled on 30 June 2025.

The Deputy Chairperson indicated that her party would not be content to proceed until the additional information was available.

The Chairperson advised that the Schedule is a 'live' document and can be updated as required to reflect legislative or policy changes.

Mr Bradley proposed that the Committee should proceed to agree the Schedule and that the information requested by the Deputy Chairperson be sought from the PSNI. The Chairperson, Connie Egan and Justin McNulty indicated that they would be content with that proposal.

The Deputy Chairperson noted that her party's concerns and the additional information that is still required have been placed on record.

The proposal was not put to a vote.

Agreed: That the Committee has no objection to the PSNI's Retention and Disposal Schedule.

Agreed: To inform the Committee for Communities that the Committee has no objection to the Schedule.

Agreed: To seek a response from the PSNI to the issues outlined by the Deputy Chairperson.

10. Justice Bill – RalSe written papers

The Committee noted a paper from the Assembly's Research and Information Service (RalSe) providing overviews of the proposed amendments to the Justice Bill regarding the repeal of the Vagrancy Act 1824 and Vagrancy (Ireland) Act 1847.

11. Justice Bill – Written papers

11.1 Department of Justice response regarding the Biometrics review mechanism

The Committee noted a response from the Department of Justice regarding the Biometrics review mechanism.

Agreed: To schedule an oral evidence session on the biometrics review mechanism in the forward work programme.

11.2 Department of Justice – Delegated Powers Memorandum for Department Amendments

The Committee considered a paper from the Department of Justice providing the Delegated Powers Memorandum for the planned Departmental amendments to the Justice Bill.

Agreed: To request advice from the Examiner of Statutory Rules on the Delegated Powers Memorandum.

11.3 An Individual – Consent for publishing a call for evidence submission

The Committee noted correspondence from an individual which provided supplementary observations to their previous submission in response to the Committee's call for evidence on the Justice Bill.

Agreed: To note the response and publish the submissions on the Committee web page.

11.4: Justice Bill — Requests for Further Information

The Committee noted a paper from the Committee for Justice team collating a list of the Committee's requests for information on the Justice Bill and the responses received to date.

12. Repeal of Vagrancy Legislation – Consultation responses and way forward – Department of Justice written paper

The Committee noted a paper from the Department of Justice which provided an update on the Department's consultation and proposed next steps regarding the repeal of section 4 of the Vagrancy Act 1824 (1824 Act) and section 3 of the Vagrancy (Ireland) Act 1847 (the 1847 Act). The Department confirmed that an amendment to repeal the legislation will be tabled at Consideration Stage of the Justice Bill.

Agreed: To identify relevant stakeholder organisations that the Committee may wish to take oral evidence from on the proposed amendment to repeal vagrancy legislation.

13. Private International Law (Implementation of Agreements) Act 2020 — proposed extension of Section 2 power — Department of Justice written paper

The Committee noted a paper from the Department of Justice which provided an update on a proposal by the UK Government to make a Statutory Instrument to extend the power in section 2 of the Private International Law (PIL) (Implementation of Agreements) Act 2020 ("the 2020 Act") which would include Northern Ireland, following agreement, in principle, by the Executive and the outcome of a consultation by the UK Government.

14. Correspondence

Justin McNulty left the meeting at 5:00pm.

- Items of correspondence from the Department of Justice, the Department of Health and the PSNI providing further information requested in relation to the *Improving Health within Criminal Justice Strategy and Action Plan Report*.

Ciara Ferguson highlighted a number of further questions raised by the Report which she would like clarity on from the Department of Justice, the Department of Health or the PSNI.

Agreed: That Ciara Ferguson should forward the list of questions to the Clerk for circulation to all Members, prior to forwarding, subject to any objections, to the Department of Justice, the Department of Health or the PSNI as appropriate for response.

Agreed: To forward the responses from the Department of Justice, the Department of Health, and the Police Service of Northern Ireland to the Committee for Health.

- Correspondence from the Northern Ireland Judicial Appointments Commission (NIJAC) inviting the Committee for Justice to an engagement session.

Agreed: That the Clerk would liaise with NIJAC and The Executive Office (TEO) Committee Clerk to arrange a suitable date for the engagement session.

- Correspondence from an individual to the Committee regarding a personal complaint.

Agreed: To respond to the individual advising that the Committee has a strategic, policy and legislative role in relation to justice matters and cannot become involved in individual complaints; and that local elected representatives may be able to assist.

The Committee noted the following items of correspondence:

- Response from the Department of Justice regarding Northern Ireland Search and Rescue funding.
- Copy correspondence from the TEO Committee to the PSNI regarding recent disorder.
- Response from the PSNI regarding Crime and Policing Bill Legislative Consent Memorandum.
- Insights from the National Children's Bureau project 'Our Minds, Our Future' regarding mental health services for children and young people.
- The Independent Anti-Slavery Commissioner's Annual Report 2024-2025.

15. Forward work programme

The Committee considered an updated forward work programme.

Agreed: To proceed with the sessions in the updated forward work programme, subject to the changes as agreed at today's meeting.

The Chairperson highlighted the Committee's informal roundtable event with children and young people to seek their views on the Justice Bill that will take place in the Long Galley on Thursday 3 July 2025.

The following Members indicated that they were available to attend the event: the Chairperson; the Deputy Chairperson; Stephen Dunne; Ciara Ferguson; and Maurice Bradley.

16. Chairperson's business

The Chairperson advised members that she had received an invitation from the Lady Chief Justice to the Opening of the Legal Year on Friday 5 September 2025

and sought Members' agreement to attend in her capacity of Chairperson of the Committee for Justice.

Agreed: That the Committee was content for the Chairperson to attend the event.

17. Any other business

There was no other business.

18. Date, time and place of next meeting

Members were advised that next meeting will take place on Thursday 26 June 2025 at 2.00pm in Room 30, Parliament Buildings.

The Meeting was adjourned at 5:14pm.

Joanne Bunting MLA

Chairperson, Committee for Justice