



Northern Ireland
Assembly

Committee for Justice

Minutes of Proceedings

Thursday 15 October 2026

Room 30, Parliament Buildings, Belfast

Present:

Paul Frew MLA (Chairperson)

Emma Sheerin MLA (Deputy Chairperson)

Doug Beattie MLA

Maurice Bradley MLA

Connie Egan MLA

Ciara Ferguson MLA

Aoife Finnegan MLA

Brian Kingston MLA

Patsy McGlone MLA

In Attendance:

Kathy O'Hanlon (Assembly Clerk)

Thomas McKillop (Senior Assistant Assembly Clerk)

Gareth Black (Assistant Assembly Clerk)

Paula Morrow (Clerical Supervisor)

Aaron Pakenham (Clerical Officer)

The meeting commenced at 2.03pm in closed session.

Agreed: That the meeting begin in closed session to commence deliberations on the Criminal Justice (Sentencing etc) Bill; to receive advice from the Bill Clerk on the Justice Bill; and for a briefing from the Examiner of Statutory Rules on the delegated powers in the Victims and Witnesses of Crime Bill.

1. Apologies

There were no apologies.

2. Criminal Justice (Sentencing etc) Bill – Deliberations

The Committee discussed Part 1 and Part 2 of the Criminal Justice (Sentencing etc) Bill. Liz Marsh, Assembly Clerk, Bill Office, was in attendance to provide advice to the Committee.

Patsy McGlone joined the meeting at 2.29pm.

The Committee identified several areas that Members would like to explore further, including potential Committee amendments, or matters which they wished to request further clarification on from the Department of Justice.

The Committee noted the following items of correspondence relating to evidence received on the Criminal Justice (Sentencing etc) Bill:

- Committee for Finance – Update from the Department of Finance regarding ‘Jade’s Law.’

- Professor Kevin Brown – Follow-up submission on Clause 1(4) on proportionate sentencing.
- Marie Collins Foundation – proposed draft amendments regarding the restriction on the use of suspended sentences and on the use of character references for certain offences.
- Men’s Advisory Project NI – further written submission.

3. Justice Bill – Advice from the Bill Clerk

Liz Marsh, Assembly Clerk, Bill Office, attended the meeting to provide advice on the Department of Justice’s draft amendments to the Committee’s amendments to the Justice Bill relating to Clause 4 (the retention, use and destruction of photographs), and Clause 37 (the review of police use of live links), which the Department intends to table at Further Consideration Stage of the Bill.

Liz Marsh left the meeting at 4.10pm.

3.1 - Department of Justice - Update on Justice Bill Serious Organised Crime Offences

The Committee noted an update from the Department of Justice clarifying that, in respect of the serious organised crime offences, the statutory defence at section 22 of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015 would not apply as a safeguard in respect of children and young people who have been coerced, intimidated or exploited; however, several other existing safeguards should provide adequate protection.

4. Victims and Witnesses of Crime Bill – Advice from the Examiner of Statutory Rules

Angela Kelly, Examiner of Statutory Rules, attended the meeting to provide advice on the delegated powers in the Victims and Witnesses of Crime Bill.

Angela Kelly left the meeting at 4.22pm.

The meeting moved to public session at 4.22pm.

5. Draft Minutes

Agreed: The Committee agreed the minutes of the meeting held on Thursday 8 October 2026.

6. Matters Arising

6.1 - SR 2026/161 The Coronavirus Act 2020 (Extension of Provisions Relating to Live Links for Courts and Tribunals) (No.2) Order (Northern Ireland) 2026

The Committee noted an update from the Examiner of Statutory Rules advising that she intends to formally report on Statutory Rule 2026/161 in her next Report, but that no points are required to be drawn to the special attention of the Assembly.

6.2 - Criminal Justice (Sentencing etc) Bill – Deliberations

The Chairperson put on record a number of actions agreed by Members during the Committee's deliberations on the Criminal Justice (Sentencing etc) Bill in closed session.

Agreed: To advise the Department of Justice that the Committee is considering potential amendments on the following matters and ask if the Minister of Justice would be content to bring them forward at Consideration Stage:

- to include 'victims of crime' as a standalone purpose of sentencing which the court must have regard to at Clause 1(2);

- to exempt the use of character references by court when determining sentences for domestic abuse offences, sexual offences and technology-assisted child sexual abuse offences;
- to make provision for a Sentencing Council for Northern Ireland at Clause 2;
- to make provision to deny the use of suspended sentence orders (SSO) for domestic abuse offences, sexual offences, and technology-assisted child sexual abuse offences;
- to add the wording ‘and the victim’ after ‘the offender’ at Clause 6(4); and
- to make specific references to gambling addiction, in addition to drug and alcohol dependency, in Clause 8

Agreed: To ask the Department of Justice for the following information:

- Clarification on whether Clause 3 is updating relevant provisions in the Treatment of Offenders Act (Northern Ireland) 1968; how the terms of up to 2 years and up to 7 years were arrived at in the 1968 Act; and if it is appropriate to carry those terms forward from the 1968 Act to this Bill;
- How to ensure trauma-informed approaches will be reflected in the approach to SSOs and how they will provide for clear referral pathways to the appropriate, tailored community-based organisations when providing restorative interventions;
- How danger and risk will be assessed and public protection considered in respect of SSOs; and
- What cost-benefit analysis has been carried out regarding Part 2 of the Bill and the likelihood of its commencement.

Agreed: That the Committee will consider the definition of ‘proportionate’ at Clause 1(4) at the next meeting.

6.3 – Justice Bill

The Chairperson put on record the action agreed by the Committee in relation to the Justice Bill during the closed session.

Agreed: To further consider the Department of Justice's draft amendments to the Committee's amendments at Clauses 4 and 37 of the Justice Bill at the meeting on 22 October 2026.

7. Victims and Witnesses of Crime Bill – Written papers

7.1 – 7.3 – Proposals for Oral Evidence Sessions on the Bill

The Committee considered a list of suggested stakeholders that it may wish to invite to provide receive oral evidence on the Bill.

Agreed: To schedule oral evidence sessions on the Bill with the stakeholders proposed.

Agreed: That the Northern Ireland Human Rights Commission be invited to provide oral evidence to the Committee on the Bill.

The Committee also noted a proposal from the Assembly Engagement Team for an engagement event to hear evidence on the Bill from victims of crime. The engagement session is proposed to take place on Thursday 26 November 2026.

Agreed: That the Committee is content to hold an engagement session with victims and witnesses on the Bill on 26 November 2026, in line with the approach proposed by the Engagement Team.

7.4 – 7.7 - Victims and Witnesses of Crime Bill – Written submissions

The Committee noted submissions in response to the call for evidence on the Victims and Witnesses of Crime Bill from the following bodies:

- Public Prosecution Service;
- Probation Board for Northern Ireland;
- Commissioner for Older People for Northern Ireland; and
- Northern Ireland Human Rights Commission.

7.8 – Committee for Finance – Written Submission

The Committee noted correspondence from the Committee for Finance updating the Committee on information it has received from the Department of Finance on any cost implications for the provisions in the Victims and Witnesses of Crime Bill.

7.9 – KESS - Public understanding of Adult Safeguarding in NI

The Committee noted a copy of the slides and briefing paper from the recent KESS seminar on the Public Understanding of Adult Safeguarding in Northern Ireland.

The Committee considered agenda items 8 and 9 together.

8. SL1 The County Courts (Financial Limits) Order (Northern Ireland) 2026

9. SL1 The County Courts (Amendment) Rules (Northern Ireland) 2026

The Committee considered a proposal from the Department of Justice to make two Statutory Rules related to County Courts.

The proposed The County Courts (Financial Limits) Order (Northern Ireland) 2026 rule is being made under powers conferred by Article 22(1) of the County Courts (Northern Ireland) Order 1980 (“the 1980 Order”) to increase the

jurisdiction of the county court; and the second The County Courts (Amendment) Rules (Northern Ireland) 2026 rule is made under Article 47 of the same Order to amend the County Court Rules (Northern Ireland) 1981.

Both Rules will be subject to the negative resolution procedure and are proposed to come into operation on 30 November 2026.

Members noted that no responses were received to the Committee's call for views on the Rules. However, several items of correspondence had since been received from insurance companies or representative organisations raising concerns with these proposed changes.

Agreed: To forward the correspondence from insurance companies and representative organisations to the Department of Justice to request that officials liaise with the County Court Rules Committee to provide a response to the concerns outlined.

The Committee considered agenda items 10 and 11 together

10.SL1 The Police Act 1997 (Criminal Records) (Amendment No. 2) Regulations (Northern Ireland) 2026

11.The Rehabilitation of Offenders (Exceptions) (Amendment No. 2) Order (Northern Ireland) 2026

The Committee considered a proposal from the Department of Justice to make two Statutory Rules to address potential safeguarding gaps by permitting Enhanced AccessNI checks, including barred list checks, for registered health care professionals employed or engaged by the Department for Communities.

Both Rules will be subject to the negative resolution procedure and are proposed to come into operation on 14 November 2026.

The Committee noted that no responses were received to its call for views on both Rules.

Agreed: That the Committee is content with the Department's proposal for each of the Statutory Rules.

12. Enabling Access to Justice - Taxation - Department of Justice written paper

The Committee noted an update from the Department of Justice setting out proposals to reform remuneration arrangements for costs assessed by the Taxing Master and paid out of the legal aid fund, including a draft consultation on the reforms, which the Department advised was due to launch on 16 October 2026.

Members also considered correspondence from the Bar of NI raising several points about engagement with the Minister and the Department, and the taxation reform process and proposals.

Agreed: To forward the Bar of NI correspondence to the Department of Justice for response to the issues raised.

Agreed: To note that the consultation will launch on 16 October 2026; and that the Committee will consider this matter further when the outcome of the consultation and the way forward are available.

13. Draft Planning Fees (Deemed Planning Applications and Appeals) (Amendment) Regulations (Northern Ireland) 2026 – Consultation – Department of Justice written paper

The Committee noted a paper from the Department of Justice advising the Committee of its intention to launch a consultation on the draft Planning Fees (Deemed Planning Applications and Appeals) (Amendment) Regulations (Northern Ireland) 2026 that would uplift the deemed planning fees charged by the Planning Appeals Commission.

Agreed: That the Committee will consider the matter further when the results of the consultation and the proposals for delegated legislation are available.

14. Correspondence

The Committee considered the following items of correspondence:

- A response from the Department of Justice to correspondence from the Committee for The Executive Office (TEO) regarding The Prevalence and Impact of Adverse Childhood Experiences in Northern Ireland Report.

Agreed: To forward the Department's response the TEO Committee for information.

- A response from the Department of Justice regarding reapplication to posts for Independent Monitoring Boards (IMB) for prisons in Northern Ireland.

Agreed: To forward the Department's response to the individual who raised the issue.

- Responses from the Office of the Lady Chief Justice and, separately, from the Economy Minister to a submission the Committee received from an individual regarding the perceived absence of accountability mechanisms for the President of the Industrial Tribunals and Fair Employment Tribunal in Northern Ireland.

Agreed: To forward both responses to the individual who raised the issue with the Committee.

- Three separate items of correspondence from the Committee for Infrastructure seeking views on the Display of Flags and Emblems Bill, the Harbours Bill, and the Tree Protection Bill.

Agreed: To respond with a nil response on the Harbours Bill.

Agreed: To ask the Department of Justice if it has any comments to make on aspects of the Flags and Emblems Bill and the Tree Protection Bill that may be relevant to the Justice Sector.

- Correspondence from an individual raising concerns about a personal matter regarding threats and harassment.

Agreed: To advise the individual that the Committee has a strategic, policy and legislative role in relation to justice matters and is unable to intervene in, investigate or adjudicate upon individual cases.

- Correspondence from an individual asking the Committee to consider an evidence session on the Public Processions Act 1998 and for a cross-community position on mandatory Digital ID.

Agreed: To respond the individual to advise that the specific matters raised are not within the remit of the Committee and they may wish to raise the matter with a local MP or MLA.

The Committee noted the following items of correspondence:

- Department of Justice – Response providing an update on prisoners on remand.

- Department of Justice – Response regarding the publication of Court Listings.
- Police Ombudsman for Northern Ireland – Five Year Legislative Review and Recommendations.
- Committee for Communities – Copy correspondence to the Department of Justice regarding the Housing (Amendment) Bill.
- Committee for Finance – Procurement of a replacement contract for the supply of agency staff.
- Individual – Copy correspondence to the Minister for Justice regarding a request for an exemption from the rule of law.
- Individual – Request for legislative change in relation to the burning of national flags.
- Queen's University Belfast – Invite to launch of research report: Before They Were Prisoners: The Prevalence and Effects of Adverse Childhood Experiences Across the Northern Ireland Prison System.
- Law Society for Northern Ireland – Invite to Policy Forum on character references in criminal cases.
- Royal Ulster Constabulary GC Foundation – Annual Report and Accounts for the year ended 31 March 2024.

15. Forward Work Programme

The Committee noted the draft Committee forward work programme.

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 the next meeting will take place on Tuesday 20 October at 9:30am in the Room 30, Parliament Buildings.

The meeting was adjourned at 4.56pm.

Emma Sheerin MLA

Deputy Chairperson, Committee for Justice

22 October 2026