

FROM THE OFFICE OF THE JUSTICE MINISTER



Department of  
**Justice**

An Roinn Dlí agus Cirt

Máinnystrie O tha Laa

[www.justice-ni.gov.uk](http://www.justice-ni.gov.uk)

Minister's Office  
Castle Buildings Block C  
Stormont Estate  
Ballymiscaw  
Belfast  
BT4 3SG

JCP\26\27

Kathy O'Hanlon  
Clerk to the Committee for Justice  
Room 242  
Parliament Buildings  
Ballymiscaw  
Stormont  
Belfast BT4 3XX

11 March 2026

Dear Kathy,

### **JUSTICE BILL – COMMITTEE DELIBERATIONS**

I refer to your letter dated 6 March 2026 and note the Committee's agreement to an amendment introducing a regulation-making power to make provision for the retention and use of photographs.

On the issue of commencement, Part 1 of the Bill will come into operation on a day or days appointed by the Department. This is a standard convention used when it is necessary to allow time to prepare for implementation of new legislation before it takes legal effect. As previously set out in our letter of 21 March 2025, this approach is necessary as a range of subordinate legislation (including the associated consultations) must be made before the new retention framework can be commenced. This will include:

- A qualifying offences amendment order (to amend the list of qualifying offences in Article 53A of PACE NI);
- Prescribed circumstances regulations;
- Review mechanism regulations;
- A PACE NI Code D revision order (with revised PACE Code D); and
- A PACE NI application order.

Sufficient time will be required to consult, draft legislation, and take the various measures through the Justice Committee and the Assembly's affirmative resolution procedure. In addition, the Home Office will be required to bring forward legislation on excepted matters, such as the arrangements for National Security Determinations, before commencement can take place. This excepted legislation will be coordinated with, and commenced alongside, the new retention framework. This will be subject to the agreement of Home Office Ministers and the Home Office securing an appropriate legislative vehicle.

PSNI will also require time to develop, test and implement appropriate software systems to support the new framework (including testing with other criminal justice organisations such as Causeway and Forensic Science NI).

Given the scale of this work, it is currently estimated that commencement of the new retention framework will not take place until 18-24 months after Royal Assent, however, this will be kept under review in light of progress made. With regard to the proposal for a statutory requirement to commence Part 1 within three years of Royal Assent, the Department considers that such a requirement may be problematic. The Committee will note that significant elements of preparation for implementation are outside of the Department's control. The volume and complexity of the necessary subordinate and excepted primary legislation, combined with the time needed for the development of appropriate software systems by the PSNI, creates a risk that any unforeseen delays or issues arising could prevent the statutory deadline from being met.

For these reasons, commencement by order offers the necessary flexibility to coordinate planning with partners and adjust accordingly should any slippage occur, while still allowing the new retention framework to be commenced as soon as practicable following Royal Assent. However, if the Committee was to bring forward an amendment to include a commencement date, it may wish to require that the day to be appointed for commencement should be on or before 5 years after Royal Assent. This would still set a defined timeframe for the legislation to take effect but provide flexibility to appoint a particular date that can be achieved by all parties.

FROM THE OFFICE OF THE JUSTICE MINISTER



Department of  
**Justice**

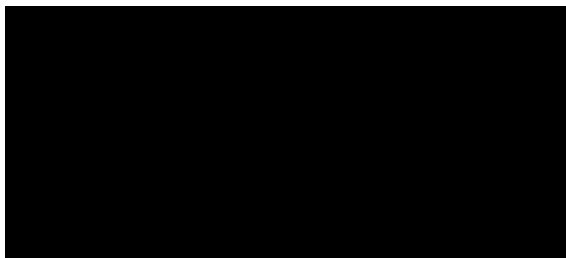
An Roinn Dlí agus Cirt

Máinnystrie O tha Laa

[www.justice-ni.gov.uk](http://www.justice-ni.gov.uk)

I trust you will find this helpful.

Yours sincerely,



**DALO**



**Northern Ireland Assembly  
Committee for Justice**

[REDACTED]  
DALO  
Department of Justice  
Castle Buildings  
Stormont Estate  
Belfast  
BT4 3SQ

6 March 2026

Dear [REDACTED]

**Justice Bill – Committee deliberations**

The Committee for Justice continued its deliberations on the Justice Bill at its meeting on 5 March.

As suggested in the Department's correspondence of 24 February 2026 (JCP\26\27), the Committee discussed and agreed an amendment to introduce a regulation-making power to make provision for the retention and use of photographs.

Following further discussion on Part 1 of the Bill, the Committee agreed to ask the Department to clarify why provision has not been made for that Part to come into operation within a certain timeframe following Royal Assent, but instead on a day or days that may be appointed by the Department.

The Committee also requested the Department's views on an amendment being tabled by the Committee to bring the provisions in Part 1 of the Bill into operation within three years of Royal Assent.

It will be necessary for the Committee to reach its final position on these matters on 12 March, before undertaking formal clause by clause scrutiny on 19 March. I would therefore appreciate an urgent response by 4.00pm on Wednesday 11 March.

Yours sincerely

*Kathy O'Hanlon*

**Kathy O'Hanlon**  
**Clerk to the Committee for Justice**

Room 345, Parliament Buildings, Ballymiscaw, Stormont, Belfast, BT4 3XX  
Telephone: (028) 905 21033

E-mail: [committee.justice@niassembly.gov.uk](mailto:committee.justice@niassembly.gov.uk)

## **Annex A**

**After Clause 21, insert new clause:**

### **“Review of use of live links**

21A.--(1) The Department of Justice must monitor and review the operation of live link arrangements conducted under Articles 40(3A) to (3E), 40ZA and 40ZB of the Police and Criminal Evidence (Northern Ireland) Order 1989 (“the live link arrangements”) for the purpose of ascertaining whether, and to what extent, the arrangements are effective.

(2) The Department must prepare a report covering the review period, which must include-

(a) the number of times the live link arrangements have been conducted in each year of the review period, broken down by reference to policing district and offence;

(b) the Department’s assessment of the extent to which the live link arrangements safeguard the rights of arrested persons, including children, taking particular account of the information obtained under subsection (3); and

(c) any other information the Department considers appropriate.

(3) Before preparing the report, the Department must consult-

(a) the Police Service of Northern Ireland,

(b) the Northern Ireland Human Rights Commission,

(c) the Northern Ireland Commissioner for Children and Young People,

(d) the Incorporated Law Society of Northern Ireland, and

(e) such other persons as it considers appropriate.

(4) For the purposes of this section, the review period is the period of not more than 3 years beginning with the day on which sections 20 and 21 have come into operation.

(5) The Department must lay the report before the Northern Ireland Assembly and publish it in such manner as it considers appropriate.