

FROM THE OFFICE OF THE JUSTICE MINISTER



Department of
Justice

An Roinn Dlí agus Cirt

Mánnystrie O tha Laa

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Kathy O'Hanlon
Clerk to the Committee for Justice
Room 242
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11 March 2026

Dear Kathy,

JUSTICE BILL: POTENTIAL COMMITTEE AMENDMENTS

Thank you for your letter dated 20 February 2026, in which you requested additional clarification on the CJINI and PSNI roles in the accreditation process for Restorative Justice services; and asked whether the Minister would be willing to bring forward an amendment to Part 2 of the Bill to require the Department to report on the operation of the new Youth Custody and Supervision Orders.

Restorative Justice

Departmental officials have met with CJINI on two occasions as part of the development work on the Accreditation Framework to clarify their role in relation to inspections. CJINI were clear that they considered the appropriate time for their inspection function to commence would be once Adult Restorative Justice services were underway, and they were satisfied there was scope for them to inspect practice, procedures and governance arrangements.



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They did not consider it appropriate for them to engage in any pre-accreditation check of an organisation's processes.

In terms of the Committee's query about any police role in the accreditation process, officials advise that all practitioners **MUST** have up to date enhanced Access NI checks in place before they can accept criminal justice referrals.

They further advise that an accredited independent practitioner cannot employ any other individual – accredited or not – in the delivery of criminal justice referrals.

More generally, in terms of organisations, both the organisation, and also any organisational practitioner, must be accredited by the Department of Justice before they can deliver restorative justice services on behalf of the criminal justice system and a practitioner must reapply for accreditation if they were to change employer/organisation.

Reporting arrangements for Youth Custody and Supervision Orders

In terms of the Committee's request for the Minister to bring forward an amendment to facilitate reviews to be undertaken in respect of the new Youth Custody and Supervision Orders (YCSO), the Minister agrees with the position taken by officials during their evidence to the Committee on 12 February that such provisions are not necessary and do need not be included on the face of the Bill.

The rationale for this is that the new YCSO does not differ significantly from the existing Juvenile Justice Centre Order, which has been operating without issue since its introduction in 1999. It is only being introduced to facilitate the legislative changes needed to ensure children can no longer be held in adult establishments.

Further, the Youth Justice Agency already publishes annual workload statistics, including the number of custodial orders served, and the new YCSO would be included in these arrangements in future, albeit not to the level of detail being suggested in the Committee's proposed amendment.

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We would also wish to draw your attention to a further issue which could arise in relation to the type and frequency of information which is currently being proposed for inclusion in the review.

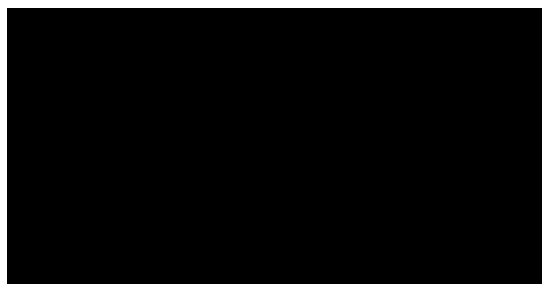
Due to the small number of children serving custodial orders each year, and the level of detail which the Committee has proposed for the reviews, there is a genuine concern that there is potential for individuals to be identified as a result. This is contrary to current rules around publication and disclosure in general and would be even more concerning where children are involved. Obviously, the more frequent the review period, the greater the likelihood of this happening.

Whilst members' discussions with officials on this issue noted that similar provisions appeared in the Domestic Abuse and Civil Proceedings Act (Northern Ireland) 2021 and the Protection from Stalking Act (Northern Ireland) 2022, these provisions are aimed, in the main, at adult offenders in a context where numbers being reported on would be significantly higher.

Given the issues set out above, the Minister could not support a Committee amendment to require the Department to report on the information as set out in your letter, in line with the time frame and frequency suggested. However, should the Committee reconsider their proposals with this information in mind and in order to avoid any unintended negative consequences, the Minister would not be opposed to such an amendment.

I trust that this is helpful and will be of benefit to the Committee.

Yours sincerely,



DALO



**Northern Ireland Assembly
Committee for Justice**

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20 February 2026

Dear [REDACTED]

Justice Bill – Potential Committee amendments

The Committee for Justice is continuing its deliberations on the Justice Bill. At its meeting on 19 February, the Committee identified a number of matters and potential amendments in relation to the Bill and the planned Ministerial amendments that it wished to consider further.

Restorative Justice – Planned Amendment

The Committee agreed to inform the Department that it is considering an amendment to the planned Restorative Justice amendment to include the requirement for Criminal Justice Inspection Northern Ireland to carry out initial, pre-accreditation inspections of prospective restorative justice providers. The Committee would welcome any views or comments that the Department may have on this matter.

The Committee would also welcome further clarification on whether the PSNI will play a role in the decision to accredit any new organisation, and if a single person who is accredited can then employ other unaccredited representatives in the delivery of restorative justice services.

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Youth Custody and Supervision Orders

You will be aware that, as discussed during the recent oral evidence with Departmental officials, Members had indicated that they would wish to include provisions for reviews to be undertaken in respect of the new Youth Custody and Supervision Orders. The suggested matters for inclusion in such a review mechanism are set out below.

Review of the operation of Youth Custody and Supervision Orders

Review Content

- the number of YCSOs issued
- the age profile of recipients of YCSOs
- the types of offences that YCSOs were issued for and the tariffs imposed
- the number of recorded breaches of an Order
- a geographic breakdown of the use of YCSOs, including a breakdown by policing districts
- an overall assessment of the effectiveness of YCSOs

Timing and intervals

The first review should take place 2 years after commencement of the provisions, followed by three subsequent reviews at 3 year intervals. The provisions will therefore cease to have effect 11 years after commencement.

The Committee agreed to write to the Department to ascertain if the Minister would be content to bring such an amendment forward at Consideration Stage. I would appreciate a response outlining the Minister's position at the earliest opportunity and an indication of if/when the text of any agreed amendment may be available for consideration by the Committee.

I can also advise that the Committee is considering potential amendments to review the use of Live Links in custody and in Courts and Tribunals. I will provide further information on that as soon as possible.

The Committee will be continuing with its deliberations at its meetings in the coming weeks and I will provide an update on any further amendments that it may be considering as matters progress.

Yours sincerely

Kathy O'Hanlon

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Clerk to the Committee for Justice