

Response ID ANON-Z841-1VCM-E

Submitted to Justice Bill

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Introduction

What is your name?

Name:

[REDACTED]

What is your email address?

Email:

[REDACTED]

If you are providing a submission on behalf of an organisation or business, please state its name.

Organisation:

The Committee for Justice has agreed to publish all responses as part of the survey results. If you would like to have your survey results anonymised and for us not to publish your name or organisation, please indicate so here.

I would like my views to be anonymous and understand that my name and organisation details will be withheld but my views will still be published.

Clause 1: Retention of fingerprints and DNA profiles

Do you believe Bill clearly defines what biometric data is?

No

Is the definition of biometric data clear?:

I don't think the Bill is meant to define biometric data - it would appear to me to set out rules for fingerprints and DNA as opposed to the wider possibilities of what could be considered biometrics.

The Bill proposes to replace the current indefinite retention period for biometric data with a "75/50/25 year" model. Do you agree with the proposed retention periods for biometric data?

Yes

Please provide information to support your answer here::

the proposed banding appears to be a more proportionate model than is currently in place. If someone has been convicted it is right that their DNA and fingerprints should be retained to act as deterrent from future offending or at the very least help them to be caught if they do reoffend.

Article 63S provides for a court to extend the retention period of material held under 63I to 63R for up to two years at a time. Do you support the extension of retention periods in certain circumstances?

Yes

Please provide information to support your answer here::

It would be appear that this provides a safeguard given the move from indefinite retention to banding - it would be terrible if the law of unintended consequences meant that material would be deleted in a scenario that has not been considered. I believe this provides a safeguard to that happening.

Articles 63Z and 63Z1, together with Schedule 1 to the Bill, relate to the establishment of a Northern Ireland Commissioner for the Retention of Biometric Material. Do you agree that a Commissioner for the Retention of Biometric Material should be appointed?

Yes

Please provide information to support your answer here::

it would be helpful to have some independent expertise in this very technical field

The Commissioner for the Retention of Biometric Material will be required to: keep under review the operation of the PACE NI biometric retention framework, including the review process of long-term retained material to be set out in regulations made by the Department; keep under review the acquisition, retention and use of biometric material under the terms of this Bill; review the use and development of existing and new biometric technologies; issue guidance on the use of biometric technologies in a law enforcement setting; and report annually, or

further as appropriate, on the Commissioner's functions. Do you agree with these being appropriate to the role of the Commissioner?

Yes

Please provide information to support your answer here::

appears sensible to me

Do you have anything further to add on Clause 1 of the Bill?

No

Please provide any further information relating to Clause 1 here::

Clause 2: Retention of fingerprints and DNA profiles: amendments

Do you have any comments on Clause 2 of the Bill?

Not Answered

Please provide any comments on Clause 2 here::

they seem sensible to work with the other bits of legislation

Clause 3: Retention of fingerprints and DNA profiles: supplementary

Do you have any comments on Clause 3 of the Bill?

Yes

Please provide any comments on Clause 3 here::

seem sensible and required to make the regime work

Part 1: Biometrics - Other

Do you have any other comments or information you would like to be considered by the Committee on Part 1: Biometrics?

Yes

Please provide information to support your answer here::

it must be really difficult to come up with a system to please everyone. Everyone has their own thoughts and bias on these types of things. Ultimately if you do nothing wrong then you have nothing to fear. If you are convicted there should be consequences having DNA and fingerprints retained is not depriving anyone of their liberty.

Part 3: Live links - Other

Do you have any other comments or information you would like to be considered by the Committee on Part 3: Live links?

Not Answered

Please provide information to support your answer here: :