

Response ID ANON-Z841-1VCG-8

Submitted to Justice Bill

Submitted on 2025-02-15 03:55:11

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:

[REDACTED]

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?

Yes

Is the definition of biometric data clear?:

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::

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?

No

Please provide information to support your answer here::

A crime must first be established. I can think of at least two cases where no crime had been established. One was where PSNI interfered in a civil case.

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?

No

Please provide information to support your answer here::

Enough public money is spent in Northern Ireland.

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?

No

Please provide information to support your answer here::

We do not need another layer of bureaucracy

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?

No

Please provide any comments on Clause 2 here::

Clause 3: Retention of fingerprints and DNA profiles: supplementary

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

No

Please provide any comments on Clause 3 here::

The Department of Justice does not uphold the law of breach of Human Rights or the Good Friday Agreement. They therefore have no locus.

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?

No

Please provide information to support your answer here::

Clause 4: Duties of a custody officer after charge

Do you agree that a custody officer should take into account a juvenile's age, maturity, needs and their capacity to understand and comply with any conditions of bail before making a decision to grant bail or not?

Yes

Please provide information to support your answer here::

Do you have any other comments on Clause 4 of the Bill?

No

Please provide information to support your answer here::

Clause 5: Police bail after arrest

Do you agree that any conditions of bail after arrest should require the custody officer to consider the circumstances of the individual and be proportionate to the risk?

Yes

Please provide information to support your answer here::

It was hardly appropriate for a person's passport to be removed when there was no crime. The custody officers should be made aware of the law.

Do you have any comments on Clause 5 of the Bill?

No

Please provide information to support your answer here::

Clause 6: Court bail

Do you support the presumption of bail for children in all but very specific circumstances?

No

Please provide information to support your answer here::

Children should be provided with support, not threatened. The needs to be more understanding of their behaviour, and the parents should take more responsibility.

Do you agree with the conditions in Article 10G that must be met if bail is to be refused?

Yes

Please provide information to support your answer here::

Do you agree with the rules relating to the imposition, variance and removal of the conditions attached to bail?

No

Please provide information to support your answer here::

Once they are set, they are rarely changed, especially if you have a [REDACTED]

Do you have any further comments on Clause 6 of the Bill?

No

Please provide information to support your answer here::

Clause 7: Arrest for absconding or breaking conditions of bail

Do you have any comments on Clause 7?

No

Please provide information to support your answer here::

Clause 8: Conditions relevant to bail: accommodation

Do you have any comments on Clause 8?

No

Please provide information to support your answer here::

Clause 9: Place of detention following sentencing

Do you agree that children under the age of 18 should only be held in a juvenile justice centre?

Yes

Please provide information to support your answer here::

Do you have any further comments on Clause 9 of the Bill?

No

Please provide information to support your answer here::

Clause 10: Powers to sentence child to detention: amendment

Do you have any comments on Clause 10 of the Bill?

No

Please provide information to support your answer here::

Clause 11: Powers to sentence child to detention: removal

Do you support raising the minimum age for detention in a young offenders' centre to 18?

Yes

Please provide information to support your answer here::

Do you have any other comments on Clause 11?

No

Please provide information to support your answer here::

Clause 12: Youth custody and supervision orders

Do you agree with the introduction of Youth Custody and Supervision Orders?

Yes

Please provide information to support your answer here::

Do you agree with the duration of the Youth Custody and Supervision Orders as proposed in subsection 38B?

Yes

Please provide information to support your answer here::

Do you have any other comments on Clause 12 of the Bill?

No

Please provide information to support your answer here::

Clause 13: Place of detention following remand in custody

Do you have any comments on Clause 13 of the Bill?

No

Please provide information to support your answer here::

Clause 14: Remand in custody exceeding three months

Do you have any comments on Clause 14 of the Bill?

Yes

Please provide information to support your answer here::

However, with the Courts in Northern Ireland not upholding the law, it is unlikely.

Clause 22: Delegation of functions of the Policing Board

Do you support the delegation of functions from the Policing Board to Board members and Board staff, where appropriate?

No

Please provide information to support your answer here::

The Policing Board do nothing.

Do you have anything further to add on Clause 22 of the Bill?

No

Please provide information to support your answer here::

Amendment: Use of live links

Do you have any comments on the proposed live links amendment to the Bill?

Yes

Please provide information to support your answer here::

You cannot compel persons to attend a live link if they are out of jurisdiction.