

**REQUEST FROM: FINANCE COMMITTEE – DALO READOUT - MEETING
WEDNESDAY 14 JANUARY 2026**

Point 10 – Members ask the Department of Finance about the non-extension of Part 4 of the Bill and how this will be addressed in NI. Members would also request detail on whether MI5 and the NCA specifically will be excluded from the ‘duty of candour’.

Response –

- Part 4 of the Public Office (Accountability) Bill:
 - ~ extends legal aid (non-means tested) to families at inquests;
 - ~ requires public authorities to engage legal representatives at inquests and inquiries only so far as it is ‘necessary and proportionate’;
 - ~ extends to all public authorities the Lord Chancellor’s guidance (that currently applies to UK Government departments) setting out good practice in respect of engagement with inquiries and investigations;
 - ~ creates a requirement upon coroners to ensure families’ participation;
 - ~ gives a power to coroners and inquiry chairs to raise concerns about the behaviour of public bodies.
- The provisions apply only to England and Wales. The Department was not approached by UK Government seeking the application of these provisions on a UK-wide basis.
- Decisions in respect of legal aid are for the Minister of Justice.
- In respect of the remaining provisions, it was determined that a substantial body of work would be required to assess whether any equivalent provisions were needed and, if they were, how they would be effected in statute (given the different structures here).
- Whilst the merits of the policy are recognised, the practical complexity of (a) settling policy and (b) preparing legislation in this area at speed means that it was agreed not to seek extension of these provisions here. The Department is, however, interested in the evaluation of the policy as it is implemented in England and Wales, keeping open the option of legislating for ourselves in due course.

- The inclusion of MI5 and National Crime Agency are matters for the UK Government.