



Northern Ireland  
Assembly

## Committee for Justice

### Minutes of Proceedings

**Thursday 3 July 2025**

**Room 30, Parliament Buildings, Belfast**

**Present:**

Joanne Bunting MLA (Chairperson)

Deirdre Hargey MLA (Deputy Chairperson)

Maurice Bradley MLA

Stephen Dunne MLA

Ciara Ferguson MLA

Justin McNulty MLA

**Present by Video or Teleconference:**

Doug Beattie MLA

Connie Egan MLA

**Apologies:**

Danny Baker MLA

**In Attendance:** Kathy O'Hanlon (Assembly Clerk)  
Jonny Redpath (Assistant Assembly Clerk)  
Aaron Pakenham (Clerical Officer)

*The meeting commenced at 1.39pm in public session.*

*Joanne Bunting declared an interest in relation to an immediate family member who works in the legal profession.*

*The Chairperson noted that a number of Committee Members are members of the All Party Group on Access to Justice.*

### **1. Apologies**

As above.

Doug Beattie, Maurice Bradley and Connie Egan offered their apologies for the event with young people that was scheduled to take place after the Committee meeting.

### **2. Draft Minutes**

**Agreed:** The Committee agreed the minutes of the meeting held on Thursday 26 June 2025.

### **3. Matters Arising**

There were no matters arising.

#### **4. Crime and Policing Bill — Second Legislative Consent Memorandum — Department of Justice written paper**

The Chairperson reminded Members that, during the Committee's previous consideration of a Legislative Consent Memorandum (LCM) for the Crime and Policing Bill, the Department of Justice had advised that a second LCM may be required in relation to the Bill.

The Chairperson informed Members that the Department had now provided a written briefing advising that the further provisions that currently require legislative consent are:

- child exploitation offence and civil prevention orders;
- restrictions on granting replacement driving licences to registered sex offenders (RSOs);
- offence in relation to fine-tuned AI models designed to produce child sexual abuse material — image generators;
- child abduction;
- stalking protection orders on acquittal and conviction;
- new stalking guidance about disclosure of information by police forces;
- barred and advisory lists;
- access to remotely stored electronic data;
- strengthened age verification requirements for the online sale and delivery of knives and crossbow and provision regarding the bulk and suspicious sales of bladed articles; and
- removal of the supervision exemption from the definition of regulated activity (Department of Health measure).

*Department of Justice officials Lisa Boal and Claire McCormick came to the table to answer Members' questions on the provisions.*

In response to questions regarding remotely stored electronic data, the officials advised that they have engaged with the NIHRc regarding the relevant draft clauses in relation to remotely stored electronic data; that the NIHRc had advised that Article 8 rights regarding privacy would be engaged; that a code of practice would be

important to ensure that appropriate safeguards are in place; and that they would continue to engage with the NIHRC regarding the code of practice.

**Agreed:** That departmental officials would provide a written update prior to the Committee meeting of 11 September 2025, which would include any discussions that the Department has had with the Home Office and the NIHRC regarding Article 8 of the Human Rights Act 1998.

The Chairperson raised an issue about child abduction.

*Department of Justice official Maura Campbell came to the table.*

The departmental official advised that the draft clause on child abduction was aimed at closing a gap that had been identified through a legal case regarding someone not returning from a holiday abroad with a child.

The Chairperson raised an issue about the potential for other countries to not co-operate in extradition proceedings.

The departmental official acknowledged that such circumstances are often difficult, that it would be a matter for the investigating authorities to work collaboratively with the authorities in the country in question and that the existence of the offence could act as a deterrent.

The Chairperson thanked the departmental officials who had responded to Members' questions and those who were in attendance in the public gallery.

## **5. Border Security, Asylum and Immigration Bill — Department of Justice written paper**

The Committee considered a written paper providing an update from the Department of Justice on the Border Security, Asylum and Immigration Bill. The Department advised that, owing to a proposed amendment to the Bill, constables of the PSNI may be included within the scope of the definition of an “Authorised Officer” in relation to clause 19, which relates to powers of search in relation to electronic devices. However, the Department’s legal advice was that, while the provisions may affect the PSNI, because the relevant clauses are in relation to the search and seizure of electronic devices regarding immigration matters, which are excepted, an

LCM is not required. The Department advised that its legal advice concurs with the Home Office's assessment.

**Agreed:** To note the Department's written paper.

## **6. SL1 — The Police and Criminal Evidence (Northern Ireland) Order 1989 (Codes of Practice) Order 2025**

The Chairperson reminded Members that the Department of Justice proposes to make a Statutory Rule under powers conferred by the Police and Criminal Evidence (Northern Ireland) Order 1989 (PACE NI). Having previously considered the proposal at several Committee meetings, further information was sought from the Department, the PSNI and the Police Federation for Northern Ireland and the responses were included in Members' papers for the meeting. However, the Chairperson informed the Committee that the Police Federation had subsequently withdrawn its response and stated that it wanted more time to consider the matter.

The Chairperson advised Members that the Minister of Justice had proposed two options for progressing the PACE codes:

- await Equality Commission guidance on the Supreme Court judgement on *For Women Scotland Ltd Vs The Scottish Ministers* to consider any amendments required and bring forward a complete, revised package of PACE codes; or
- put in place interim Annexes that make it clear that, while under review, it is for the Chief Constable to decide whether a person should be treated as male or female for the purposes of a search and that the dignity of all parties should be respected.

The Chairperson noted that the PSNI's response stated that it was not content for the Chief Constable to have the responsibility for the decision, on the basis that the Supreme Court had already made a ruling; that the Equality Commission intends to seek clarification through the High Court; and that the Police Federation had also raised concerns.

The Chairperson raised her concern that what the Minister of Justice indicated during an informal meeting with her and the Deputy Chairperson in relation to what

was contained in the National Police Chiefs' Council (NPCC) documentation is not reflected in the proposed PACE codes. The Chairperson stated that the PACE codes need to be clearer and that her party is not in a position to agree to the current draft codes.

*Department of Justice official Lisa Boal came to the table.*

Connie Egan stated that she and her party are in favour the second option that the Minister proposed because it is interim guidance that can be updated when the information is received from the Equality Commission.

Deirdre Hargey stated that she and her party would wish to see the Equality Commission guidance before making a decision; that the police should not be put in the position of having to make what could be seen as political or contentious decisions; that her and her party's previous position regarding stop and search powers in the existing codes remain and have not been addressed; and that the party will not make a decision in the absence of the information that they have asked for. Deirdre Hargey also pointed out that advice received by the Committee contradicts the Department's position that the Committee is being asked to agree only to the proposed amendments to the codes rather than the codes in their entirety.

Justin McNulty stated that his and his party's position is to wait for the Equality Commission's guidance before making a decision.

Doug Beattie stated that his and his party's position is to wait for the Equality Commission's guidance before making a decision, but that he was also concerned about how long it might take for that guidance to be issued and about the position that that leaves the police in with regard to potential litigation.

The Chairperson stated that she is also mindful of the gaps in the Codes that exist for the PSNI and that it is not the Committee's intention to prolong the delay longer than is necessary.

*Maurice Bradley left the meeting at 2.07pm.*

The departmental official advised she would clarify whether adding details to the codes based on the NPCC guidance would require a public consultation.

The Chairperson thanked the departmental official for her attendance at the meeting.

**7. SR2025/113 — The Compensation Orders (Disqualified Directors) Proceedings Rules (Northern Ireland) 2025 and SR2025/121 — The Compensation Orders (Disqualified Directors) Proceedings (No. 2) Rules (Northern Ireland) 2025**

The Chairperson informed the Committee that the Department had laid SR 2025/113 — the Compensation Orders (Disqualified Directors) Proceedings Rules (Northern Ireland) 2025 but had subsequently determined that there was an error in the Rule. The second Rule (SR 2025/121 - the Compensation Orders (Disqualified Directors) Proceedings (No. 2) Rules (Northern Ireland) 2025) was therefore laid to correct the error and to revoke the first Rule.

The Statutory Rule will make provision for a procedure to be followed by the Department for the Economy when applying for a compensation order under Article 19A of the Company Directors Disqualification (Northern Ireland) Order 2002 (CDDO), or by a person subject to a compensation undertaking when applying under Article 19C of the CDDO to have the undertaking varied or revoked and by the High Court when hearing such applications.

The Chairperson advised Members that the Department for the Economy is the policy lead for insolvency matters and that the proposed Statutory Rule is therefore made with the concurrence of the Department for the Economy and, as it affects Court Rules, with the concurrence of the Lady Chief Justice.

**Agreed:** The Committee for Justice considered SR 2025 No. 121 — the Compensation Orders (Disqualified Directors) Proceedings (No. 2) Rules (Northern Ireland) 2025) and, subject to the Examiner of Statutory Rules' report, had no objection to the Rule.

## **8. Justice Bill — written papers**

### **8.1 — Department of Justice response regarding NIACRO's oral evidence session**

The Committee noted a response from the Department of Justice to its request for information on several matters further to an evidence session on the Justice Bill with NIACRO.

### **8.2 — Department of Justice response regarding the scrutiny points raised in RalSe's Rehabilitation of Offenders and Restorative Justice Amendments Papers**

The Committee noted a response from the Department of Justice to its request for responses to the scrutiny points that were raised in the Assembly's Research and Information Service's papers on the proposed Rehabilitation of Offenders and Restorative Justice amendments.

The Chairperson informed Members that a written update from the Department on Restorative Justice and the Interim Protocol Lead has been included on the forward work programme for 11 September 2025.

**Agreed:** To consider further during future evidence sessions on the proposed amendments.

### **8.3 — Department of Justice update regarding Taxation Reform**

The Committee noted a response from the Department of Justice to queries that it had asked about when a consultation regarding taxation reform would take place and how the proposed consultation proposals relate to matters on taxation that had already been included in the Justice Bill.

The Chairperson advised of her view that the response was not clear and that she would like to reconsider this matter when scrutinising that part of the Bill.



#### **8.4 — John Wadham, Northern Ireland Policing Board Human Rights Adviser — Children and Young People Accessing a Solicitor Whilst in Custody**

The Committee considered follow-up information that was provided by John Wadham, the Northern Ireland Policing Board Human Rights Adviser, regarding children and young people accessing a solicitor while in custody.

**Agreed:** To ask the Youth Justice Agency and the Children’s Law Centre to provide further information about their concerns regarding diversionary outcomes and more generally regarding custody and questioning for children and young people.

#### **8.5 — Professor Kevin J. Brown (Queen’s University Belfast) — Offer to Provide Evidence**

The Committee considered an offer from Professor Kevin J. Brown, Professor of Criminal Law at Queen’s University Belfast, to provide evidence to the Committee on the proposed amendment to the Justice Bill to repeal vagrancy legislation.

**Agreed:** To schedule an oral evidence session with Professor Brown regarding the proposed amendments to the Justice Bill to repeal vagrancy legislation.

#### **8.6 — Further Information Requests**

The Committee noted an updated list of its requests for information on the Justice Bill and the responses received to date.

#### **8.7 — Response from the Scottish Biometrics Commissioner**

The Committee noted a response from the Scottish Biometrics Commissioner to its request for information regarding whether Police Scotland release photographs after an offender has been convicted and regarding the possible implications for retention requirements.

**Agreed:** To revisit the response when further scrutinising the biometrics provisions in the Justice Bill.

The Chairperson informed Members that an electronic Bill folder had been prepared by the Committee team and would soon be issued to Members.

## **9. Mental Health Courts — RalSe written paper**

The Committee considered an Assembly and Research Information Service (RalSe) paper providing an overview of Mental Health Courts.

Ciara Ferguson thanked RalSe for providing the paper and raised a number of concerns based on the paper's findings.

**Agreed:** To ask the PSNI what subgroups have been established under its Silver Operational Group, an update on progress made and what timelines those groups are working to.

**Agreed:** To ask the Department of Justice and the Department of Health what collaboration they are engaged in regarding planning for three-year budgets to address mental health issues in the justice system and whether work on this issue is being prioritised by both Departments.

**Agreed:** To forward the RalSe paper to the Committee for Health for information.

**Agreed:** To seek clarification on how 'severe mental illness' is determined.

## **10. Correspondence**

- A call for evidence from the Committee for Finance on the Administrative and Financial Provisions Bill.

**Agreed:** To provide a nil response.

- A call for evidence from the Committee for Finance on the Northern Ireland Fiscal Council Bill.

**Agreed:** To provide a nil response.

- A call for evidence from the Committee for The Executive Office on the Inquiry (Mother and Baby Institutions, Magdalene Laundries and Workhouses) and Redress Scheme Bill.

**Agreed:** To provide a nil response.

**Agreed:** To ask the Committee for The Executive Office whether clerical abuse will be included in the Inquiry (Mother and Baby Institutions, Magdalene Laundries and Workhouses) and Redress Scheme Bill.

- Further correspondence from an individual regarding personal issues.
- The Chairperson advised that the Committee Clerk is seeking advice on the item given the nature of some of the documents received.

**Agreed:** That any draft response will be circulated for approval via email in advance of being issued to the individual.

- Correspondence from an individual regarding clarification of departmental responsibilities in relation to family courts.

**Agreed:** To forward the correspondence, with the individual's permission, to the Committee for Finance.

**Agreed:** To ask the Department of Finance whether the Children (Northern Ireland) Order 1995 has been reviewed, whether a continual impact assessment has been conducted or whether there are plans to review the legislation.

- Correspondence from the Lady Chief Justice's office regarding a consultation on a 'media access to family courts' pilot.

**Agreed:** To seek an extension to the deadline to respond to the consultation.

The Committee noted the following items of correspondence:

- Correspondence from the Minister of Justice regarding agency arrangements for the Department of Justice to authorise the requisition of land at the Invest NI site (Forthriver Business Park) on the Springfield Road, Belfast.
- A response from the Department of Justice regarding bids for Northern Ireland protocol-related funding.
- Correspondence from the Department of Justice regarding updated requirements for the making of firearms and component parts.

- Correspondence from the Department of Justice containing a notification of the Northern Ireland Courts and Tribunals Service judicial statistics.
- Correspondence from the Committee for Finance regarding the 2025-26 Public Expenditure Out-turn and Forecast Out-turn information.
- Correspondence from the Committee for the Economy providing a copy of its response to individuals regarding post-19 or post-school special educational needs support.
- Correspondence from the Northern Ireland Courts and Tribunals Service regarding a Service Investment Account Statement of Accounts for the year ended 31 March 2025.
- Correspondence from Criminal Justice Inspection Northern Ireland regarding its Annual Business Plan, which incorporated the Inspection Programme for 2025-26.
- Correspondence from Investment Strategy Northern Ireland containing a Department of Justice Investing Activity Report — June 2026.

## **11. Forward Work Programme**

The Committee considered an updated forward work programme.

**Agreed:** To proceed with the sessions in the updated forward work programme, subject to the changes as agreed at today's meeting.

Deirdre Hargey provided her apologies for the meeting of 18 September 2025.

## **12. Chairperson's Business**

The Chairperson advised Members that it is standard practice to delegate authority to the Chairperson and Deputy Chairperson, during periods of recess, to submit views on the releasing or withholding of information in any non-routine or contentious Freedom of Information requests received by the Committee; and that any such views expressed would be brought to the attention of the Committee at the first meeting after summer recess.

**Agreed:** To delegate authority to the Chairperson and Deputy Chairperson.

## **13. Any Other Business**

Justin McNulty expressed his thanks to the Committee team for all their work to date.

The Chairperson advised that the Assistant Clerk will be moving to another business area within the Assembly and, on behalf of the Committee, thanked him for his contribution to the work of the Committee.

## **14. Date, Time and Place of the next meeting**

Members were advised that next meeting will take place on Thursday 11 September at 2.00pm in Room 30, Parliament Buildings.

The Meeting was adjourned at 2.38pm.

**Joanne Bunting MLA**

**Chairperson, Committee for Justice**

**11 September 2025**