



Northern Ireland
Assembly

Committee for Justice

Minutes of Proceedings

Thursday 11 December 2025

Room 30, Parliament Buildings, Belfast

Present: Emma Sheerin MLA (Deputy Chairperson)
Connie Egan MLA
Ciara Ferguson MLA
Brian Kingston MLA
Patsy McGlone MLA

Present by Video or Teleconference:

Danny Baker MLA
Doug Beattie MLA

Apologies: Paul Frew MLA (Chairperson)
Maurice Bradley MLA

In Attendance: Kathy O'Hanlon (Assembly Clerk)
Thomas McKillop (Senior Assistant Assembly Clerk)

Gareth Black (Assistant Assembly Clerk)

Easton Vance (Clerical Supervisor)

Aaron Pakenham (Clerical Officer)

The meeting commenced at 2.00pm in public session.

Agreed: That the oral evidence session with Department of Justice officials on the December Monitoring Round, and the Justice Bill and proposed departmental amendments, will be recorded by Hansard.

Doug Beattie joined the meeting at 2.01pm

Danny Baker declared an interest in relation to an immediate family member who works for the Northern Ireland Probation Board.

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

1. Apologies

As above.

2. Draft Minutes

Agreed: The Committee agreed the minutes of the meeting held on Thursday 4 December 2025.

3. Matters Arising

3.1 Law Society of Northern Ireland – Request for papers

The Committee noted a request from the Law Society of Northern Ireland for copies of papers provided by the Department on the plans to undertake two engagement processes on options for Legal Aid reform, which were considered at the meeting on 27 November, and for the papers for the Enabling Access to Justice papers from the meeting on 27 November.

Agreed: To forward the requested papers for both Legal Aid reform items and for Enabling Access to Justice and Taxation Reform to the Law Society of Northern Ireland.

4. Budget 2025-26 – Finance Update including December Monitoring Round – Department of Justice oral evidence

The following officials joined the meeting at 2.03pm:

Richard Logan - Finance Director;
Andrea Quail - Head of Financial Strategy; and
Louise Blair - Head of Financial Support.

The officials provided oral evidence on various fiscal matters relating to the Department of Justice, including the December monitoring round.

The oral evidence was followed by a question-and-answer session.

The evidence session was recorded by Hansard.

During the session, the officials agreed to provide further information on the reduced requirement of £1.1m for Speeding Up Justice funding, which was originally profiled for the project's first year as part of the bid to the Public Sector Transformation fund.

The Chairperson thanked the witnesses and they left the meeting at 2.44pm.

Agreed: To ask the Department of Justice for more detailed information on what the Ending Violence Against Women and Girls transformation bid entails, including what the £4.6m capital bid is for.

Agreed: To seek clarity from the Minister of Justice on when funding for PSNI data breach compensation claims can be expected to be secured and outline Members' concerns about the impact of the uncertainty this matter has had on the officers and staff affected.

Agreed: To invite the PSNI and the relevant Department of Justice officials to provide oral evidence on the recently-published Operation Kenova and Operation Denton Reports.

5. Justice Bill – Department of Justice oral evidence

The following officials joined the meeting at 2.46pm:

Andrew Dawson – Director of Criminal Justice Policy and Legislation Division

Andrew Lavery – Bill Manager

Lisa Boal - Head of Police (PACE) Policy and Legislation Branch

Maire Sheehan - Legal and Legislative Support

Brian Thomson – Head of AccessNI

Lorraine Ferguson-Coote - Head of Criminal Policy Unit

Debbie Corry - Head of Organised Crime Branch

The officials provided oral evidence on the Justice Bill and planned Departmental amendments.

The oral evidence was followed by a question-and-answer session.

Patsy McGlone left the meeting at 3.50pm.

The evidence session was recorded by Hansard.

During the session, the officials agreed to provide a copy of the revised wording of the AccessNI amendment to incorporate the change in Assembly scrutiny procedure from negative to draft affirmative resolution.

The Chairperson thanked the witnesses and they left the meeting at 3.56pm.

6. Justice Bill – Legal Aid Taxation – RalSe written paper

The Committee noted a paper on Legal Aid Taxation prepared by the Assembly's Research and Information Service (RalSe), which included a number of scrutiny points for consideration.

Agreed: To forward the RalSe paper to the Department of Justice for a response to the scrutiny points.

7. Justice Bill – Written Papers

7.1 Department of Justice response – Live Links Amendment

The Committee noted a response from the Department of Justice to the scrutiny points highlighted in the Assembly's RalSe paper on the proposed Live Links amendments to the Justice Bill.

7.2 Department of Justice response – Windsor Framework

The Committee considered a response from the Department of Justice to questions the Committee had asked about engagement and advice from the Northern Ireland Human Rights Commission for the proposed biometrics

amendments to the Justice Bill and compliance with the requirements of the Windsor Framework.

Agreed: To request a request a copy of the NIHRC's comments on the biometrics amendments and Windsor Framework compliance from the Department.

7.3 Community Restorative Justice Ireland and Northern Ireland

Alternatives response

The Committee noted a joint response paper from Community Restorative Justice Ireland and Northern Ireland Alternatives to response from the Department of Justice and the PSNI on the use of Community Resolution Notices, highlighting their key thoughts and concerns on the planned restorative justice amendment and the new accreditation process following consideration of earlier correspondence from the PSNI and Department of Justice.

Agreed: To forward the joint paper to the Department of Justice for a response to the issues raised

7.4 Simon Community – Response regarding the repeal of vagrancy legislation amendment

The Committee noted follow-up information from the Simon Community following their recent oral evidence session on the Repeal of Vagrancy amendment.

7.5 Department of Justice response – Repeal of Vagrancy legislation amendment

The Committee noted a response from the Department of Justice to the Committee's request for views on Professor Brown's proposals for an amendment to cover Begging causing Harassment, Obstruction or Public Order Concerns.

7.6 Department of Justice response – Enabling Access to Justice Reform Programme and Taxation

The Committee noted a response from the Department of Justice providing information on legal aid fraud and error, a breakdown of legal aid expenditure, an update on the publication of the list of legal aid payments, and further information on a number of taxation matters.

8. SL1 The Police Act 1997 (Criminal Records) (Amendment) Regulations (Northern Ireland) 2026

The Committee considered the Department of Justice's proposal to make an Statutory Rule to amend the Police Act (Criminal Records) (Disclosure) Regulations (Northern Ireland) 2008. The Rule will make provision for eligibility for Enhanced AccessNI checks under The Police Act (Criminal Records)(Disclosure) Regulations (Northern Ireland) 2008 for: considering an applicant's suitability for becoming a practitioner for the purposes of delivery restorative justice interventions; inclusion of a check of the adult's barred list for this role; and removal of the age restriction (16+) for Enhanced checks for those whose home is used from provision of hosting guests under the Homes for Ukraine Scheme.

The Rule is subject to the negative resolution procedure and is proposed to come into operation on 3 February 2026.

Agreed: That the Committee is content with the proposal for the Statutory Rule.

9. SL1 The Rehabilitation of Offenders (Exceptions) (Amendment) Order (Northern Ireland) 2026

The Committee considered the Department of Justice's proposal to make an Statutory Rule to amend the Rehabilitation of Offenders (Exceptions) Order (Northern Ireland) 1979. The Rule will make provision for new exclusions under the Rehabilitation of Offenders (Exceptions) Order (Northern Ireland) 1979 in

respect of individuals whose suitability is being assessed for the purposes of delivering adult restorative justice interventions, and individuals undertaking a self-employed / personal employment role with vulnerable groups.

The Rule is subject to the negative resolution procedure and is proposed to come into operation on 3 February 2026.

Agreed: To ask the Department to clarify if the term ‘spend convictions’ is simply a typing error for ‘spent convictions’; why it did not conduct any form of consultation with stakeholders who may be impacted by the proposed changes; and whether the views of Criminal Justice Inspection Northern Ireland, the Northern Ireland Human Rights Commission and the Equality Commission were sought.

10.SL1 Police and Criminal Evidence (Northern Ireland) Order (Codes of Practice) Order 2025

The Committee considered a response from the Department to its request that consideration be given to incorporating the National Police Chiefs’ Council (NPCC) interim guidance on searching the searching of transgender detainees Annex L to PACE Code C (which will also apply to Annex J to Code H and Annex H to Code I). The response advised that it is not possible to reference the NPCC guidance or include a ‘no detriment safeguard’ for PSNI officers or staff as it is an operational issue and is not within the legislative scope of the PACE Codes but would be a HR matter for the PSNI. The Department also provided correspondence from the PSNI confirming that the NPCC guidance would be implemented from 15 December 2025.

Brian Kingston advised that the Democratic Unionist Party welcomes that the NPCC guidance has been adopted operationally by the PSNI, but that the party believed that the ‘no detriment’ safeguard should drafted into the text of PACE Code C Annex L.

Doug Beattie advised that the NPCC guidance covers everything that Ulster Unionist Party was concerned about in terms of protection for police officers and welcomed its adoption by the PSNI. However, whilst respecting that this is an operational matter for the PSNI, he expressed the view that it should still be possible to include reference that the PSNI is adopting the interim guidance by the NPCC within PACE Code, perhaps by way of footnote or other reference.

Department of Justice official, Lisa Boal, Head of Police (PACE) Policy and Legislation Branch, came to the table.

The official advised that the legislative scope of the PACE Codes concerned individuals being held in custody and was not about the practice of officers. She further highlighted that Annex L states that it is for the Chief Constable to establish operational guidance that reflect the codes, and including operational guidance, such as incorporating the NPCC guidance into the text of Annex L, would fall beyond the legislative remit of the Codes. However, the official advised that the Department could make reference to the PSNI adopting the NPCC's interim guidance into an explanatory note or other suitable documentation to accompany the published PACE Codes, though acknowledged that the inclusion in an explanatory note would not carry the same authority as inclusion in the text of the legislation.

Ciara Ferguson expressed the view that no one individual should be tasked with determining an issue of human rights. She advised that it remained Sinn Féin's preference to await guidance from the Equality Commission of Northern Ireland.

Connie Egan expressed that the Alliance Party would be in favour of updating Annex L as an interim measure while awaiting the further Equality Commission guidance and that she held some concerns about the risk of not agreeing the PACE Codes. She further advised that she was content that the adoption of the NPCC guidance by the PSNI offered officers sufficient protections but that she would support the Department's offer to incorporate reference of the NPCC guidance adoption into the text of a document to accompany the Codes.

The Deputy Chairperson expressed concerns that the risk to the career of a PSNI officer appeared to be of greater concern than the rights of a transgender person.

Brian Kingston proposed that the Committee write to the Department of Justice to request that the PSNI's operational adoption of the 'no detriment' safeguard in the NPCC guidelines be referenced in the text of the revised Annex L of PACE Code C, or that the text of Annex L state that there will be no career detriment to a PSNI officer or staff member who refuses to search a trans detainee.

The question was put:

"That the Committee write to the Department of Justice to request that the PSNI's operational adoption of the 'no detriment' safeguard in the Nation Police Chief's Council guidelines be referenced in the text of the revised Annex L of PACE Code C, or that the text of Annex L state that there will be no career detriment to a PSNI officer or staff member who refuses to search a trans detainee."

The Committee divided:

Ayes: 2; Noes: 4

Ayes: Brian Kingston, Doug Beattie.

Noes: Emma Sheerin, Danny Baker, Connie Egan, Ciara Ferguson.

The proposal fell.

The Departmental official advised that it may be helpful if the Department shared with the Committee a copy of the notes that will be published alongside the PACE Codes.

Agreed: To consider further when the draft notes that will be published alongside the PACE Codes are available.

11. Correspondence

The Committee considered the following items of correspondence:

- A response from the Department of Justice to questions from an individual regarding the PSNI's escort and explosive-management

duties for Dalradian Gold Ltd. that the Committee agreed to forward to the Department for response.

Agreed: To forward the Department's response to the individual who raised the matter with the Committee.

- Department of Justice's response to questions by Northern Ireland Humanists on the Repeal of Blasphemy laws, which the Committee had forwarded to the Department.

Agreed: To forward the Department's response to Northern Ireland Humanists.

- Responses from the Department of Justice and the Minister of Health to questions raised by Dementia NI regarding the provisions of Lasting Power of Attorney in the Mental Capacity Act (Northern Ireland) 2016.

Agreed: To forward both responses to Dementia NI.

- A copy of correspondence from the House of Lords Northern Ireland Scrutiny Committee to the Minister of State at the Home Office acknowledging that Committee's receipt of the Home Office's letter of 26 November 2025 in response to questions on Article 2 of the Windsor Framework and the Crime and Policing Bill.

Agreed: To ask the Northern Ireland Scrutiny Committee for a copy of the letter of 26 November from the Home Office.

- An invitation from Ofcom to an event in the Long Gallery on protecting women and girls from online harms.

Agreed: That Members should RSVP directly if they wish to attend.

- Department of Justice response providing information requested during the oral evidence session with the Department of Justice Permanent Secretary.

Agreed: To seek clarity from the Department of Justice on clarity on why, in their response to the matter of regulations and governance of pre-release testing, the secondary legislation of Prisons and Young Offenders Centres Rules (Northern Ireland) 1995 appears to override the requirements of Article 6 of the Life Sentences (Northern Ireland) Order 2001, which is primary legislation.

- Department of Justice response on juror sustenance, which advised that the current arrangements provide jurors with tea and coffee making facilities and allows them to claim a meal allowance.
- Information on a celebration event for Hydebank for the Outstanding Contribution to Correctional Excellence Award.

Agreed: That Members will notify the Clerk as soon as possible if they wish to attend.

The Committee noted the following items of correspondence:

- A response from the Department regarding the time taken at each stage for case progression through the criminal justice system.
- Northern Ireland Courts and Tribunal Service - Quarterly provisional figures & mortgage bulletin.

- Department of Justice - Publication of official statistics bulletin 'Cyber crime, modern slavery and sentencing: findings from the 2023/2024 Northern Ireland safe community telephone survey.
- Committee for Finance - Review of Arm's Length Bodies.
- Department of Justice response on the Secretary of State's Direction made under section 1A(7) of the Prison Act (Northern Ireland) 1953.
- Independent Reporting Commission – Eighth Report.
- Pivotal briefing - 'Northern Ireland's multi-year budget: challenges and opportunities'.

12. Forward Work Programme

The Committee noted the Department of Justice's proposed forward work programme for January 2026 and the latest draft of the Committee's forward work programme.

Agreed: To schedule the Department's proposed items of business into the Committee's forward work programme.

13. Chairperson's Business

There was no Chairperson's business.

14. Any Other Business

There was no other business.

Danny Baker left the meeting at 4.37pm.

15. Date, Time and Place of the next meeting

Members were advised that next meeting will take place on Thursday 15 January at 2.00pm in Room 30, Parliament Buildings.

The meeting was adjourned at 4.38pm.

Paul Frew MLA

Chairperson, Committee for Justice

15 January 2026