



Northern Ireland
Assembly

Committee for Justice

Minutes of Proceedings

Thursday 20 November 2025

Room 30, Parliament Buildings, Belfast

Present:

Paul Frew MLA (Chairperson)

Deirdre Hargey MLA (Deputy Chairperson)

Doug Beattie MLA

Maurice Bradley MLA

Connie Egan MLA

Ciara Ferguson MLA

Brian Kingston MLA

Patsy McGlone MLA

Apologies :

Danny Baker 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 2.02pm in public session.

Patsy McGlone joined the meeting at 2.03pm.

Agreed: That the oral evidence session with the Permanent Secretary of the Department of Justice, and the session with Departmental officials on the Enabling Access to Justice Reform Programme and Taxation, will be recorded by Hansard.

1. Apologies

As above.

2. Draft Minutes

Agreed: The Committee agreed the minutes of the meeting held on Thursday 13 November 2025.

3. Matters Arising

There were no matters arising.

4. ‘Transforming the Criminal Justice System in Northern Ireland’ – Criminal Justice Inspection Northern Ireland report and other matters – Department of Justice Permanent Secretary oral evidence

Hugh Widdis, Department of Justice Permanent Secretary, joined the meeting at 2.04pm.

The official provided oral evidence on the ‘Transforming the Criminal Justice System in Northern Ireland’ report by the Criminal Justice Inspection Northern Ireland (CJINI) and a number of other matters.

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

Ciara Ferguson declared an interest as Vice-Chair of the All Party Group on Access to Justice.

During the session, the official agreed to provide the following:

- Details of the plans and next steps once the Criminal Justice Board has agreed a single, shared vision, including the workplan underpinning the vision, prioritisation, accountability mechanisms and timeframes for delivery.
- A further update on the reviews undertaken in line with Operational Recommendation 2 in the CJINI report by the Department and justice organisations to reduce duplication and release capacity.
- Clarification of the regulations and processes governing pre-release testing of prisoners, including how far in advance of the completion of a minimum tariff pre-release testing can begin.
- Where the responsibility rests for ensuring Border Force personnel are available if there is a likelihood that a prisoner who is to be deported on completion of a sentence may be released by the courts.
- The rationale for a perpetrator being given a pseudonym in domestic homicide reviews where the victim has been named.

- The Department's views on resourcing for the new legacy legislation at Westminster and an update on any engagement with the Secretary of State on the matter.
- An update on work that has been or will be taken in relation to the Independent Review of the Northern Ireland Policing Board Report which was published on 30 January 2025.

Agreed: To request the Lady Chief Justice (LCJ), the Public Prosecution Service for Northern Ireland (PPS) and the Police Service of Northern Ireland (PSNI) attend a future meeting of the Committee to give oral evidence on delays within the justice system.

The evidence session was recorded by Hansard.

The Chairperson thanked the official and they left the meeting at 3.34pm.

Brian Kingston left the meeting at 3.34pm.

Agreed: To request that the Justice Minister attend the Committee to provide an update on Departmental priorities at the earliest opportunity following the Christmas recess.

5. Enabling Access to Justice Reform Programme - and Taxation Reform update – Department of Justice oral evidence

The following Departmental officials joined the meeting at 3.35pm:

Steven Allison, Director, Enabling Access to Justice Division;
John Bradley, Legal Aid Reform Branch, Enabling Access to Justice Division; and
Chris Barry, Taxation Reform Branch, Enabling Access to Justice Division.

The witnesses provided oral evidence on the Department's Enabling Access to Justice Reform Programme and taxation reform.

Brian Kingston returned to the meeting at 3.38pm.

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

Maurice Bradley left the meeting at 4.09pm.

During the session, the officials agreed to provide the Committee with the following:

- An update on fraud and error in relation to legal aid.
- The breakdown of legal aid expenditure by family, criminal, and civil proceedings.
- A overview of the component elements of taxation, examples of how they currently apply and how that will contrast with changes that the Department proposes to make by way of an amendment to the Justice Bill on taxation reform.
- Comparative rate figures from other jurisdictions for barrister and solicitor legal aid fees.

The evidence session was recorded by Hansard.

Agreed: To request that the Taxing Master attend a future Committee meeting to give oral evidence on the operational aspects of taxation.

The Chairperson thanked the officials and they left the meeting at 4.24pm.

The Chairperson left the meeting at 4.24pm.

The meeting was suspended at 4.24pm.

The meeting resumed in public session at 4.31pm with the Deputy Chairperson in the Chair and the following members present:

Doug Beattie MLA

Connie Egan MLA

Ciara Ferguson MLA

Brian Kingston MLA

Patsy McGlone MLA

6. Justice Bill — written papers

6.1 Department of Justice – Response regarding Justice Bill: Windsor Framework and EU Directives

The Committee considered a response from the Department of Justice to questions on the proposed biometrics related amendments to the Justice Bill and the issue of compliance with the Windsor Framework.

Agreed: To ask the Department if it also consulted with the Northern Ireland Human Rights Commission (NIHRC) in addition to the Departmental Solicitor's Office on this matter.

6.2 Department of Justice – Response regarding Justice Bill: DNA Fingerprint Review Mechanism

The Committee noted a response from the Department of Justice to questions the Committee had asked regarding the review mechanism proposals for the new DNA and fingerprints retention framework outlined in Part 1 of the Justice Bill.

Agreed: To ask the Department to clarify if an individual whose appeal to the PSNI to have their data deleted is denied,

has the right of appeal to the new Biometrics Commissioner; and whether the Commissioner should have Developed Vetting (DV) clearance to allow them to make decisions where matters of national security are involved.

6.3 Northern Ireland Policing Board – Response regarding Community Resolution Notices

The Committee noted a response from response from the Policing Board of Northern Ireland regarding the low number of Community Resolution Notices (CRNs) being referred to Northern Ireland Alternatives and Community Restorative Justice Ireland as the accredited restorative justice organisations.

6.4 Justice Bill – Requests for further information table

The Committee noted the latest draft of the document prepared by the Committee team which tracks Committee requests and responses received in relation to the Justice Bill.

7. Crime and Policing Bill – Legislative Consent – Correspondence

7.1 Department of Justice – Crime and Policing Bill update – Clause 138, access to GB driving licence information

The Committee noted an update from the Department of Justice advising that that commencement of the regulations relating to access to GB driving licensing information in the Crime and Policing Bill will require the consent of the Department, insofar as the Regulations and Code of Practice relate to devolved bodies. The Department advised that the Minister of Justice considers the revised approach appropriate and will be seeking the

Executive's agreement to a second Legislative Consent Motion (LCM) for the Bill, which will include this measure.

7.2 Department of Justice – Crime and Policing Bill – removal of clauses from second LCM

The Committee noted a further update from the Department of Justice on the Crime and Policing Bill advising of the removal of Clauses 31-35 which concerned strengthening age-verification requirements for offensive weapons, as the proposed amendments will be withdrawn at Westminster. Members also noted that the Department has advised that the Justice Minister may progress a third LCM for these provisions only at a later stage, if the amendments are tabled again in Westminster.

8. SR 2025/171 The County Court (Amendment) Rules (Northern Ireland) 2025

The Committee considered Statutory Rule SR2025/171 The County Court (Amendment) Rules (Northern Ireland) 2025. The Rule will amend the County Court Rules (Northern Ireland) 1981 to increase County Court Scale fees by 23% to restore them to an equivalent value to the fees payable in 2017; increase travel entitlements by 32%; and introduce a new fee of £75 for any necessary affidavit for which a fee is not otherwise available.

The rule is subject to the negative resolution procedure.

The Committee noted that the Examiner of Statutory Rules had raised no issues with regard to the technical aspects of the Rule.

Agreed: That the Committee for Justice has considered SR2025/171 The County Court (Amendment) Rules (Northern Ireland) 2025 and has no objection to the Rule.

9. SR 2025/173 The Damages for Bereavement (Variation of Sum) Order (Northern Ireland) 2025

The Committee considered Statutory Rule SR2025/173 The Damages for Bereavement (Variation of Sum) Order (Northern Ireland) 2025. The Rule will increase the fixed amount payable for damages for bereavement under the Fatal Accidents (Northern Ireland) Order 1977 in line with inflation, which will bring it to £19,700 based on the Consumer Price Index for September 2025.

The rule is subject to the negative resolution procedure.

The Committee noted that the Examiner of Statutory Rules had raised no issues with regard to the technical aspects of the Rule.

Agreed: That the Committee for Justice has considered SR2025/173 The Damages for Bereavement (Variation of Sum) Order (Northern Ireland) 2025 and has no objection to the Rule.

10. SL1 Police Pensions (Amendment) Regulations (Northern Ireland) 2025

The Committee considered a proposal from the Department of Justice make a Statutory Rule under sections 1(1) and (2)(g) (together with paragraph 7 of Schedule 2), 3(1), (2)(a) and (b) (together with Schedule 3) and (3)(a) and (b) of the Public Service Pensions Act (Northern Ireland) 2014 (the 2014 Act).

The proposed Statutory Rule is intended to provide active or deferred members in the 2015 Police Pension Scheme, who were previously ineligible to apply for ill health retirement for the period 1 April 2015 to 31 March 2024, with the option to elect to do so, from the date they joined the 2015 scheme. It will also make a technical amendment to improve the operation of the 2015 scheme. The Rule will be subject to the negative resolution procedure.

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

Maurice Bradley returned to the meeting at 4.45pm.

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

The Committee considered an update from the Department of Justice on the proposal to make a Statutory Rule under powers conferred by the Police and Criminal Evidence (Northern Ireland) Order 1989 (PACE NI), which included revised draft wording for Annex L to PACE Code C (which will also apply to Annex J to Code H and Annex H to Code I).

Brian Kingston advised that concerns remain for the Democratic Unionist Party that the revised draft does not offer sufficient protection for police officers. In particular, his Party would like to see a safeguard that there would be no detriment to a police officer who declines to search an individual, and would welcome guidelines issued by the National Police Chief's Council (NPCC) being more explicitly incorporated into the revised PACE Codes.

Ciara Ferguson advised that it remained Sinn Féin's preference to await guidance from the Equality Commission of Northern Ireland. She also advised that her Party consider Codes H and I to be draconian in nature.

Doug Beattie advised that Ulster Unionist Party remains concerned about protection for police officers, and questioned whether a direction may be given forcing an officer to conduct a search if another officer willing to conduct the search cannot be found at the required time. Mr Beattie also indicated his Party's preference for the NPCC guidance to be more explicitly incorporated into the revised Annexes.

Connie Egan expressed that the Alliance Party would be in favour of the Justice Minister's Option 2, which would update the Annex L as an interim measure while awaiting the further Equality Commission guidance, but stated that she understood other Members' concerns and respected their positions.

Agreed: To ask the Department if it would be willing to consider incorporating the safeguard in the NPCC guidance into the PACE Codes.

Agreed: To ask to the Department to clarify when it expects the further guidance from the Equality Commission to be available.

12. Police Ombudsman for Northern Ireland Retention and Disposal Schedule

The Committee considered the Police Ombudsman for Northern Ireland's Retention and Disposal Schedule, which is required to be laid before the Northern Ireland Assembly under Section 8(2) of the Public Records Act (Northern Ireland) 1923, and in accordance with the Rules of the Disposal of Documents Order 1925, by the Public Records Office of Northern Ireland (PRONI). The Schedule is subject to the negative resolution procedure.

Agreed: That the Committee is content with the Retention and Disposal Schedule for the Police Ombudsman for Northern Ireland.

Agreed: To inform the Committee for Communities of their decision on this matter, as PRONI falls under the policy responsibility of the Department for Communities.

13. Renewal of the Secretary of State's Direction under Section 1A(7) of the Prison Act (Northern Ireland) 1953 as amended by Schedule 4 of the Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010

The Committee noted a response from the Department of Justice to questions Members had asked on the renewal of the Secretary of State's Direction made under section 1A(7) of the Prison Act (Northern Ireland) 1953.

Agreed: That the Committee is content that the Direction is renewed and will write to the Department of Justice outlining its position.

Agreed: To ask the Department of Justice for information on the process whereby the Secretary of State's Direction would require the Prisoner Ombudsman to remove details from reports, including what the criterion for giving this direction is and whether the Prisoner Ombudsman would be advised of the rationale for the removal of details from reports.

14. Correspondence

The Committee considered the following items of correspondence:

- Response from the Department of Justice to questions the Committee had asked regarding an alleged incident at Magilligan Prison.

Agreed: That the Committee Clerk meet with the Departmental Assembly Liaison Officer and Northern Ireland Prison Service officials to discuss effective approaches to keeping the Committee informed of serious incidents in prisons.

- Correspondence from the Dementia NI Member Forum regarding the provisions of Lasting Power of Attorney in the Mental Capacity Act (Northern Ireland) 2016.

Agreed: To forward the correspondence to the Department of Justice and the Department of Health to request an update on the work of the Mental Health Capacity Act Implementation Project, including timeframes for implementation of the Act's

provisions and details of engagement and, in particular, an update on the implementation of the Lasting Power of Attorney provision.

- Correspondence from Northern Ireland Humanists in relation to the continued existence of blasphemy laws in Northern Ireland.

Agreed: To forward the correspondence to the Department of Justice to ask what consideration, if any, is being given to the repeal of blasphemy laws within Northern Ireland.

- Correspondence from an individual regarding legislation governing the sale and use of fireworks.

Agreed: To forward the questions for the Justice Minister raised in the correspondence to the Department of Justice for response.

- Correspondence from an individual in relation to delays in the justice system regarding the Greenvale Hotel tragedy.

Agreed: To advise that, while unable to comment on live cases, the Committee has agreed to invite the LCJ, the PPS and the PSNI to provide oral evidence on delays within the justice system.

- Correspondence forwarded from Gerry Carroll MLA in relation to an individual requesting that member of the Committee attend a Judicial Review regarding the Victim's Payments Board as an observer.

Agreed: To respond to Mr Carroll and the individual advising that the Committee plans to monitor the outcome of the Judicial Review.

- A Criminal Justice Inspection Northern Ireland Report on an Inspection of the Management of Organisational Performance in the Public Prosecution Service for Northern Ireland.

Agreed: To ask the PPS for its response to the Report's findings and recommendations.

Agreed: To ask the Department to provide a breakdown of the time taken at each of the key stages of the journey of a case through the criminal justice system.

The Committee noted the following items of correspondence:

- A press release and Serious Adverse Incident Report that will be published by the Prisoner Ombudsman, which is embargoed until 00.01 on 21 November 2025.
- Department of Justice - Northern Ireland Troubles Bill – Memorandum laid under Standing Order 42A(4)(b).
- Committee for Finance - Revised outturn and forecast outturn 2025-26 guidelines.
- Committee for Finance - Role of the Department of Finance in relation to the Northern Ireland Civil Service.

15. Forward Work Programme

The Committee noted the latest draft of the Committee's forward work programme and agreed to proceed with the proposed schedule.

Agreed: That the first meeting of the Committee after Christmas recess will take place on Thursday 15 January at 2pm.

16. Chairperson's Business

There was no Chairperson's business.

17. Any Other Business

Brian Kingston highlighted recent media reports which raised the issue of lack of sustenance provisions for those serving jury duty in Northern Ireland courts.

Agreed: To ask the Department of Justice for information on the current policy and arrangements for providing jurors with means of sustenance within court settings.

18. Date, Time and Place of the next meeting

Members were advised that next meeting will take place on Thursday 27 November at 2.00pm in Room 30, Parliament Buildings.

The meeting was adjourned at 5.10pm.

Paul Frew MLA

Chairperson, Committee for Justice

27 November 2025