



Northern Ireland  
Assembly

## Committee for Justice

### Minutes of Proceedings

**Thursday 29 January 2026**

**Room 30, Parliament Buildings, Belfast**

**Present:**

Paul Frew MLA (Chairperson)

Emma Sheerin MLA (Deputy Chairperson)

Doug Beattie MLA

Maurice Bradley MLA

Connie Egan MLA

Ciara Ferguson MLA

Aoife Finnegan MLA

Brian Kingston MLA

Patsy McGlone MLA

**In Attendance:**

Kathy O'Hanlon (Assembly Clerk)

Thomas McKillop (Senior Assistant Assembly Clerk)

Gareth Black (Assistant Assembly Clerk)

Joshua Devlin (Clerical Supervisor)

Aaron Pakenham (Clerical Officer)

*The meeting commenced at 2.01pm in closed session.*

**Agreed:** That the meeting begin in closed session for advice from the Bill Clerk on the deliberations stage of Justice Bill and to begin the deliberations on the Bill and the planned amendments.

*Ciara Ferguson joined the meeting at 2.02pm.*

### **1. Apologies**

There were no apologies.

### **2. Justice Bill – Advice from the Bill Clerk**

*Patsy McGlone joined the meeting at 2.03pm.*

*Maurice Bradley joined the meeting at 2.11pm.*

Liz Marsh, Assembly Clerk, Bill Office, attended the meeting to provide advice on the deliberations phase of the Justice Bill.

*Patsy McGlone left the meeting at 2.40pm.*

### **3. Justice Bill – Committee Deliberations**

The Committee discussed the Justice Bill Part 1 - Biometric Data: Retention etc. and Part 2 – Children, and identified a number of areas that Members would like further information on from the Department of Justice.

*Patsy McGlone returned to the meeting at 2.49pm.*

*The meeting was suspended at 3.47pm.*

*The meeting resumed in public session at 3.53pm with the following Members present:*

Paul Frew, Chairperson

Emma Sheerin, Deputy Chairperson

Maurice Bradley

Connie Egan

Ciara Ferguson

Aoife Finnegan

Brian Kingston

Patsy McGlone

**Agreed:** That the oral evidence session with Department of Justice officials on Electronic Monitoring - Update on Transformation Project and implementation of Statutory Rule, and the Committee's Deliberations on the Justice Bill will be recorded by Hansard.

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

#### **4. Draft Minutes**

**Agreed:** The Committee agreed the minutes of the meeting held on Thursday 22 January 2026.

#### **5. Matters Arising**

There were no matters arising.

## **6. Electronic Monitoring - Update on Transformation Project and implementation of Statutory Rule – Department of Justice oral evidence**

The following Department of Justice officials joined the meeting at 3.54pm:

Michael McAvoy, Director, Community Safety Division, Department of Justice; and

Matthew Neill, Head of Electronic Monitoring, Department of Justice.

The officials provided oral evidence on the electronic monitoring bid to the Public Sector Transformation Fund and on the implementation of a Statutory Rule designating a new 'Responsible Officer' for the delivery of Electronic Monitoring in Northern Ireland.

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

The evidence session was recorded by Hansard.

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

- Further information, including costs, on the independent academic advisers for Electronic Monitoring, when available.

The Chairperson thanked the officials and they left the meeting at 4.45pm.

*Patsy McGlone left the meeting at 4.45pm.*

## **7. Justice Bill – Committee Deliberations**

The Chairperson outlined the key matters discussed during the deliberations on Part 1 and Part 2 of the Justice Bill and noted that Members had identified a number issues and concerns they wish to discuss further with the Department of Justice.

In relation to Part 1 of the Bill, Members expressed concerns about:

- the absence of the inclusion of photographs as biometric data.
- the two-year retention of biometric data for an individual issued with a penalty notice; the three-year retention of data for an individual charged but not convicted of a qualifying offence; and the right of the Chief Constable to seek further extensions to such retention periods.
- the need for a Biometrics Commissioner and the independence of such a Commissioner's office, if established.

In relation to Part 2 of the Bill, Members expressed concerns about:

- how a custody officer assesses assess a child's 'maturity' and the need to add the term 'vulnerabilities' to the text of Clause 4.
- the commencement of Clause 8.
- the capacity of a child to know their rights in relation to bail and the role of a custody officer in ensure that a child is fully aware of their rights.
- the need for robust monitoring of the new youth custody and supervision orders.

**Agreed:** To advise the Department of Justice that the Committee is actively considering potential amendments on the following matters:

- the inclusion of photographs within the scope of the provisions in Part 1 of the Bill;
- review mechanisms for biometrics;
- the addition of 'vulnerabilities' to the relevant parts of Clause 4; and
- review mechanisms to monitor the new Youth Custody and Supervision Orders.

## **8. SR 2025/197 The Legal Aid for Crown Court Proceedings (Costs) (Amendment) Rules (Northern Ireland) 2025**

*Patsy McGlone returned to the meeting at 4.50pm.*

The Chairperson noted concern at the length of time taken to lay the three Statutory Rules being considered today, given that the Committee had agreed that it was content with the Department's proposals for the draft Rules on 8 May 2025.

The Committee considered Statutory Rule SR 2025/197 The Legal Aid for Crown Court Proceedings (Costs) (Amendment) Rules (Northern Ireland) 2025, which will amend the Legal Aid for Crown Court Proceedings (Costs) Rules (Northern Ireland) 2005 to make provision for uplifts to legal aid fees and enhanced remuneration.

The Committee noted that the Department had advised of a minor change to the policy content since the SL1 was considered by the Committee, to include specification that, where a legal representative may claim mileage for a journey, the mileage rate to be paid is 45p per mile.

The Rule is subject to the Negative Resolution Procedure and came into operation on 7 January 2026.

The Committee noted that, in her Fifty-fourth Report, the Examiner of Statutory Rules had no comments to make by way of technical scrutiny.

**Agreed:** That the Committee for Justice has considered SR 2025/197 The Legal Aid for Crown Court Proceedings (Costs) (Amendment) Rules (Northern Ireland) 2025 and has no objection to the Rule.

#### **9. SR 2025/198 The Civil Legal Services (Remuneration) Order (Northern Ireland) 2025**

The Committee considered Statutory Rule SR 2025/198 The Civil Legal Services (Remuneration) Order (Northern Ireland) 2025, which will replace the Civil Legal

Services (Remuneration) Order (Northern Ireland) 2015 to make provision for uplifts to legal aid fees and enhanced remuneration.

The Rule is subject to the Negative Resolution Procedure and came into operation on 7 January 2026.

The Committee noted that the Examiner of Statutory Rules had not yet formally reported on the Rule. The Examiner had indicated that the Rule will be drawn to the special attention of the Assembly in her next report due to some minor drafting errors, but that she is content with the Department's proposed approach to correct the errors.

**Agreed:** That the Committee for Justice has considered SR 2025/198 The Civil Legal Services (Remuneration) Order (Northern Ireland) 2025 and has no objection to the Rule.

#### **10. SR 2025/199 The Magistrates' Courts and County Court Appeals (Criminal Legal Aid) (Costs) (Amendment) Rules (Northern Ireland) 2025**

The Committee considered Statutory Rule SR 2025/199 The Magistrates' Courts and County Court Appeals (Criminal Legal Aid) (Costs) (Amendment) Rules (Northern Ireland) 2025, which will amend the Magistrates' Courts and County Court Appeals (Criminal Legal Aid) (Costs) Rules (Northern Ireland) 2009 to make provision for uplifts to legal aid fees and enhanced remuneration.

The Rule is subject to the Negative Resolution Procedure and came into operation on 7 January 2026.

The Committee noted that, in her Fifty-fourth Report, the Examiner of Statutory Rules had no comments to make by way of technical scrutiny.

**Agreed:** That the Committee for Justice has considered SR 2025/199 The Magistrates' Courts and County Court Appeals (Criminal Legal Aid) (Costs) (Amendment) Rules (Northern Ireland) 2025 and has no objection to the Rule.

## **11. Sentencing Bill – Pre-Legislative Scrutiny - Correspondence**

### **11.1 Correspondence from the Commissioner for Older People for Northern Ireland**

The Committee considered correspondence from the Commissioner for Older People in response to the oral evidence session with officials on 27 November 2025 on Pre-Legislative Scrutiny of the upcoming Sentencing Bill.

**Agreed:** To forward the Commissioner’s paper to the Department of Justice for a response; and to ask for an update on work conducted by the Department in relation to age and Hate Crime since Judge Marrinan’s Independent Review of Hate Crime Legislation in Northern Ireland.

**Agreed:** To invite the Commissioner for Older People to provide oral evidence during the Committee Stage of the forthcoming Sentencing Bill.

### **11.2 – 11.5 Department of Justice update on the Sentencing Bill**

The Committee noted an update from the Department of Justice advising of the Minister’s intention to introduce the Sentencing Bill during w/c 2 March, subject to necessary approvals, along with advance copies of the Bill and Explanatory Memorandum which had been shared in confidence.

## **12. Judicial Pensions (Amendment) Regulations (Northern Ireland) 2026 – Consultation - Department of Justice written paper**

The Committee noted a paper from the Department of Justice advising of the Department’s intention to undertake a targeted consultation on draft Judicial Pensions (Amendment) Regulations (Northern Ireland) 2026 that will amend the

Judicial Pensions Regulations (Northern Ireland) 2015 to permit the recovery of outstanding, backdated pension contributions.

**Agreed:** To consider further when the results of the consultation and the way forward are available.

### 13. Correspondence

The Committee considered the following items of correspondence:

- Correspondence from a former Police Officer raising concerns in relation to a Northern Ireland Audit Office (NIAO) report on Injury on Duty (IOD) awards published on 10 March 2020, and subsequent evidence provided to the Committee by officials from the Department of Justice.

**Agreed:** To forward the correspondence to the Department of Justice for response to the questions raised that are relevant to the Department.

- Correspondence from an individual expressing concerns about the ongoing withdrawal of services by the Criminal Bar Association and, in particular, its impact on lower-paid female barristers and victims.

**Agreed:** To advise the individual that the Committee is not a party to the ongoing negotiations to resolve the dispute and that her correspondence has therefore been noted.

- Correspondence from an individual seeking the Committee's consideration and scrutiny of recurring statutory compliance issues in relation to the Freedom of Information Act by the Policing Board of Northern Ireland.

**Agreed:** To ask the Northern Ireland Policing Board for general information on their procedures for handling Freedom of Information Act requests.

The Committee noted the following items of correspondence:

- Copy of the Minister of Justice’s response to the Committee for Infrastructure regarding recording images at road accidents.
- Department of Justice - Draft Budget 2026-27 to 2029-30 Proposals and Non-Departmental Public Bodies.
- Committee for Finance – copy correspondence from the House of Lords NI Scrutiny Committee to HM Treasury regarding Council Directives on tobacco and related products and the European Commission’s proposals on the structure and rates of excise duty on tobacco and tobacco related products, and related excise fraud in Northern Ireland.
- Northern Ireland Youth Assembly - Update on the Big Youth Survey.
- Further correspondence from an individual regarding an ongoing personal matter.
- Further correspondence from an individual regrading PSNI explosives. Escort costs (Dalradian Gold Ltd).
- Further correspondence from an individual in response to a letter from the Committee, including a copy response from Carla Lockhart MP.

## **14. Forward Work Programme**

### **14.1 Forward Work Programme**

The Committee considered the Department’s proposed forward work programme for February and the latest draft of the Committee’s forward work programme.

**Agreed:** To schedule the proposed work items from the Department of Justice in the Committee's forward work programme and proceed with the proposed work schedule.

#### **15. Chairperson's Business**

There was no Chairperson's business.

#### **16. Any Other Business**

There was no other business.

**Agreed:** To commence next week's meeting at 1:30pm to continue Committee deliberations on the Justice Bill.

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

Members were advised that next meeting will take place on Thursday 5 February at 1.30pm in the Room 30, Parliament Buildings.

The meeting was adjourned at 5.04pm.

**Paul Frew MLA**  
**Chairperson, Committee for Justice**  
**5 February 2026**