



Northern Ireland  
Assembly

## Committee for Justice

### Minutes of Proceedings

**Thursday 26 February 2026**

**Room 30, Parliament Buildings, Belfast**

**Present:**

Paul Frew MLA (Chairperson)

Emma Sheerin MLA (Deputy Chairperson)

Connie Egan MLA

Ciara Ferguson MLA

Aoife Finnegan MLA

Brian Kingston MLA

**Present by Video or Teleconference:**

Doug Beattie MLA

Maurice Bradley MLA

**Apologies:**

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 2.00pm in closed session.

**Agreed:** That the meeting begin in closed session to continue Committee deliberations on the Justice Bill and the planned Departmental amendments.

### **1. Apologies**

As above.

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

Liz Marsh, Assembly Clerk, Bill Office, attended the meeting to provide advice on various technical aspects of the Justice Bill, the planned Departmental amendments and the Committee's consideration of potential Committee amendments.

*Maurice Bradley joined the meeting at 2.09pm.*

The Committee discussed a number of potential Committee amendments to the Justice Bill and planned Departmental amendments that Members had identified in previous deliberation sessions, along with other matters related to the Committee's scrutiny of the Bill.

*Liz Marsh left the meeting at 3.04pm.*

*The meeting moved to public session at 3.04pm.*

**Agreed:** That the oral evidence session with Departmental officials on the Victims and Witnesses of Crime Strategy and the session on the SL1 for The Police and Criminal Evidence (Northern Ireland) Order (Codes of Practice) Order 2025, will be recorded by Hansard.

### **3. Draft Minutes**

**Agreed:** The Committee agreed the minutes of the meeting held on Thursday 19 February 2026.

### **4. Matters Arising**

#### **4.1 57<sup>th</sup> Report of the Examiner of Statutory Rules**

Members noted that the Examiner of Statutory Rules had formally reported on the technical aspects of Statutory Rule 2026/11 The Payment and Electronic Money Institution Insolvency (Northern Ireland) Rules 2026, considered by the Committee at last week's meeting.

#### **4.2 Draft response to Committee for Finance on the Department of Justice's proposed Draft Budget for 2026-2027 to 2028-2029/30**

The Committee considered a draft response to the Committee for Finance, expressing the Committee's views on the Department of Justice's allocation in the Finance Minister's draft multi-year budget proposals for 2026– 2029/30.

**Agreed:** To issue the draft response to the Finance Committee.

**Agreed:** To forward a copy of the Committee's response to the Department of Justice for information.

## **Minister for Infrastructure Correspondence – Recording of Images at Road Traffic Accidents**

The Chairperson informed the Committee that the Department of Justice had requested sight of the Minister for Infrastructure's letter on proposed approaches to prohibiting individuals and media outlets capturing and distributing distressing footage at the scenes of fatal or critical road traffic collisions, that was forwarded by the Infrastructure Committee and considered at the meeting on 19 February 2026.

**Agreed:** To forward the Minister for Infrastructure's letter to the Department of Justice for information.

## **5. Victims and Witnesses of Crime Strategy 2026-2032 – Department of Justice oral evidence**

The following officials from the Department of Justice joined the meeting at 3.08pm:

Julie Wilson, Deputy Director, Victims Support Division;  
Emma Crozier, Head of Victim and Witness Branch; and  
Joanne McDermott, Deputy Principal, Victim and Witness Branch.

The officials provided oral evidence on the new Victims and Witnesses of Crime Strategy 2026-2032, with integrated Performance Framework and an initial two-year Action Plan.

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

During the evidence session the officials agreed to provide the Committee with follow-up information on:

- The business case for the establishment of a statutory Commissioner for Victims of Crime;
- The current costs of the Commissioner Designate for Victims of Crime; and
- Cross-border engagement in relation to victims of rural crime.

The evidence session was recorded by Hansard.

The Chairperson thanked the officials and they left the meeting at 4.09pm.

**6. SL1 The Police and Criminal Evidence (Northern Ireland) Order (Codes of Practice) Order 2025 - Department of Justice oral evidence**

The following official from the Department of Justice joined the meeting at 4.10pm:

Lisa Boal, Head of Police (PACE) Policy & Legislation Branch.

Members considered the Department of Justice proposal to make a Statutory Rule under powers conferred by the Police and Criminal Evidence (Northern Ireland) Order 1989 (PACE NI). The Rule will be subject to the negative resolution procedure.

In relation to the interim Annex L of PACE Code C, the Committee considered an update from the Department which included a draft note proposed to be published alongside the Codes. The note highlights that the Chief Constable is responsible for providing corresponding operational guidance and instructions for officers and staff in conducting, or being present at, searches of detainees, and that the PSNI has adopted the National Police Chiefs' Council (NPCC) 'Interim Guidance – Searching by Transgender officers and employees of the Police and the Searching of Transgender detainees'.

The Chairperson stated that the Democratic Unionist Party welcomed the progress made to date by the Department. However, he advised that his Party would like to see the note to be published alongside the PACE Codes to explicitly state that there will be no career detriment to an officer who declines to search a transgender detainee, rather than the note simply making reference to the NPCC interim guidance.

The official advised that the Department could include a line citing the ‘no career detriment’ into a revised draft of the accompanying note.

Doug Beattie referred to Section 1.3 of PACE Code C which states that the provisions “do not include the Notes for Guidance, which form guidance to police officers and others about its application and interpretation,” and questioned whether this might undermine the authority of the Department’s note to accompany Annex L in the eyes of a judiciary.

Ciara Ferguson highlighted that Sinn Féin does not accept Codes H and I. She stated that her party considered these Codes to be draconian legislation and likely breach the human rights of detainees.

**Agreed:** That the Committee will consider the matter further when the Department has provided it with the revised text of the accompanying note to be published alongside Annex L to PACE Code C.

The Chairperson thanked the official and they left the meeting at 4.22pm.

## **7. Justice Bill – Written papers**

### **7.1 An Individual – Copy Correspondence to Claire Hanna MP regarding the Children and Young Person Act (NI) 1968**

The Committee noted a copy of correspondence from an individual to Claire Hanna MP in relation to Children and Young Persons Act (NI) 1968.

#### **Committee Deliberations**

The Chairperson put on record the agreed actions arising from the Committee's earlier consideration of the Justice Bill in closed session.

- Agreed:** That the proposed amendment to insert a review mechanism within the Live Links provisions in the Bill, as drafted by the Bill Clerk, be forwarded to the Department to ask if the Minister would be content to bring the amendment forward at Consideration Stage.
- Agreed:** To ask the Department to table an amendment to its Live Links amendment to make provision for a similar review mechanism for the use of live links within courts and tribunals.
- Agreed:** That the Bill Clerk will draft an amendment for a regulation-making power to enable the Department to make provision for the retention and use of photographs after it has undertaken the required policy development and public consultation.
- Agreed:** That the Bill Clerk will draft a Committee amendment to add the term ‘vulnerabilities’ into the range of considerations that police and courts must have regard to when making bail and remand decisions in children’s cases at Article 39(2A)(e)(i) on page 18, new Article 48ZA(2)(e) on page 19, and new Article 10H(2)(e) on page 22 of the Justice Bill.
- Agreed:** To ask the Department to clarify the rationale for the inclusion of provisions at Article 63Z1(5) on page 17 to enable the Department to exclude parts of a report by the new Biometrics Commissioner from publication; and the circumstances under which is envisaged it would be necessary to use this power.
- Agreed:** To write to the Minister of Justice and the Minister of Health to express the Committee’s concern that commencement provisions have not been included for Clause 8 but that Members understand the potential dangers of including a timescale for commencement of

these provisions; and to encourage both Ministers to work proactively towards a position that will enable this provision to be implemented at the earliest opportunity.

**Agreed:** To wait for the Department of Justice’s responses to the Committee’s consideration of potential amendments to provide accreditation checks of prospective restorative justice providers by Criminal Justice Inspection Northern Ireland (CJINI), and provide a review mechanism for the operation of Youth Custody and Supervision Orders, before determining its final position on these amendments.

#### **8. SR 2026/12 The Rehabilitation of Offenders (Exceptions) (Amendment) Order (Northern Ireland) 2026**

The Committee considered laid Statutory Rule 2026/12 The Rehabilitation of Offenders (Exceptions) (Amendment) Order (Northern Ireland) 2026. The Rule is intended to address the potential safeguarding gaps regarding the delivery of adult restorative justice initiatives and with respect to self-employed individuals whose role requires them to work with vulnerable groups.

The Rule is subject to the negative resolution procedure and came into operation on 17 February 2026.

The Committee noted that the Examiner of Statutory Rules had brought Rule to the attention of the Assembly in her 56<sup>th</sup> Report as it was laid in breach of the 21-day rule, but the Examiner had confirmed that she was content with the Department’s explanation for the breach.

**Agreed:** That the Committee for Justice has considered SR 2026/12 The Rehabilitation of Offenders (Exceptions) (Amendment) Order (Northern Ireland) 2026 and has no objection to the Rule.

## **9. SR 2026/13 The Police Act 1997 (Criminal Records) (Amendment) Regulations (Northern Ireland) 2026**

The Committee considered laid Statutory Rule 2026/13 The Police Act 1997 (Criminal Records) (Amendment) Regulations (Northern Ireland) 2026. The Rule creates provisions for eligibility for Enhanced checks under The Police Act (Criminal Records) (Disclosure) Regulations (Northern Ireland) 2008 for:

- a. Considering an applicant's suitability for becoming a practitioner for the purposes of delivering restorative justice interventions.
- b. Inclusion of a check of the adult's barred list for this role; and
- c. 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 came into operation on 17 February 2026.

The Committee noted that the Examiner of Statutory Rules had brought the Rule to the attention of the Assembly in her 56<sup>th</sup> Report, due to the Rule being laid in breach of the 21-day rule, as well as for a drafting error in regulation 2(4) of the Regulations. The Examiner confirmed that she is content with the Department's explanation for the breach of the 21-day rule, and that the Department will correct the drafting error by correction slip at the earliest opportunity.

**Agreed:** That the Committee for Justice has considered SR 2026/13 The Police Act 1997 (Criminal Records) (Amendment) Regulations (Northern Ireland) 2026 and has no objection to the Rule.

## **10. Correspondence**

The Committee considered the following items of correspondence:

- A response from the Department of Justice to two items of correspondence that the Committee had forwarded in relation to pro bono assistance for self-litigants.

**Agreed:** To respond to the Department to advise that the Committee does not consider the response to have sufficiently satisfied the Committee's original requests on the matter, and ask that a more comprehensive response is provided outlining specific detail on each of the work programmes within Enabling Access to Justice that the Department advised in their response would address current challenges facing support for self-litigants.

- Correspondence from the Lady Chief Justice providing further information on a number of matters that she agreed to provide the Committee with during her oral evidence session on 22 January 2026. The response advises that it is not the court's role to alert the Home Office to the release of foreign prisoners for deportation and suggested that the Committee may wish to write to the Prison Service for an update on the current position.

**Agreed:** To ask the Prison Service for an update on the current position.

- An inspection report by CJINI into Child Criminal Exploitation in Northern Ireland – How the Criminal Justice System Recognises, Assesses and Responds to Child Criminal Exploitation.

**Agreed:** To forward the report to the Committees for Health and Education for information.

**Agreed:** To schedule an oral evidence session with CJINI.

**Agreed:** To schedule a joint oral evidence session with officials from the Department of Justice, the PPS

and the PSNI on the CJINI report and other matters around Child Criminal Exploitation.

- Department of Justice - Response regarding the consultation on the list of qualifying offences as specified under article 53a of the Police and Criminal Evidence (Northern Ireland) Order 1989.

**Agreed:** To seek clarity from the Department on the specific advice from the Northern Ireland Human Rights Commission that the Department's response stated was helpful.

The Committee noted the following items of correspondence:

- Committee for Finance - Forwarded correspondence providing clarification on the Department of Education's 5-year Budget Strategy.
- Belfast Works Connect - Briefing paper outlining options to sustain place-based economic inactivity support during the Local Growth Fund (LGF) transitional year.
- An individual – Copy correspondence to the Minister of Health in relation to the escalation of private law family matters into Child Protection intervention in the absence of lawful threshold.
- Investment Strategy Northern Ireland - Investing Activity Report for the Department of Justice – February 2023.

## **11. Forward Work Programme**

### **11.1 Forward Work Programme**

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

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

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

There was no Chairperson's business.

## **13. Any Other Business**

There was no other business.

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

Members were advised that next meeting will take place on Thursday 5 March at 2.00pm in the Room 30, Parliament Buildings.

*The meeting was adjourned at 4.37pm.*

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