



Northern Ireland
Assembly

Justice Bill

Annotated Marshalled List of Amendments
Consideration Stage

Tuesday 2 June 2026

Amendments tabled up to 9.30am Wednesday, 20 May 2026 and selected for debate

The Bill will be considered in the following order—

Clauses, Schedules and Long Title

Amendment 1 *[Made]*

Clause 1, Page 3, Line 15

Leave out '14' and insert '28'

Minister of Justice

Amendment 2 *[Made]*

Clause 1, Page 3

Leave out line 21

Minister of Justice

Amendment 3 *[Made]*

Clause 1, Page 3, Line 22

After ‘reference’ insert ‘in Articles 63F to 63U’

Minister of Justice

Amendment 4 *[Made]*

Clause 1, Page 3

Leave out lines 27 to 32

Minister of Justice

Amendment 5 *[Negatived on division]*

Clause 1, Page 4

Leave out line 9 to line 15 on page 6

*Ms Emma Sheerin
Ms Aoife Finnegan
Mrs Ciara Ferguson*

Amendment 6 *[Made]*

Clause 1, Page 4, Line 21

Leave out ‘If’ and insert ‘Paragraphs (4A) and (6A) apply where’

Minister of Justice

Amendment 7 *[Made]*

Clause 1, Page 4, Line 23

At end insert ‘and’

Minister of Justice

Amendment 8 *[Made]*

Clause 1, Page 4, Line 24

Leave out from ‘and’ to end of line 27 and insert—

‘(4A) If the Northern Ireland Commissioner for the Retention of Biometric Material (see Article 63Z) has consented under paragraph (5) to the retention of the material,’

Minister of Justice

Amendment 9 *[Made]*

Clause 1, Page 4, Line 32

Leave out ‘(4)’ and insert ‘(4A)’

Minister of Justice

Amendment 10 *[Made]*

Clause 1, Page 4, Line 38

At end insert—

‘(6A) If an application is made under paragraph (5) in relation to P’s material and (apart from this paragraph) the material would be required to be destroyed before the application is finally determined, the material may be retained until proceedings on the application have been concluded.’

Minister of Justice

Amendment 11 *[Negatived on division]*

Clause 1, Page 6, Line 17

At end insert ‘, and P is aged 18 or over at the time of the offence.’

Ms Emma Sheerin
Ms Aoife Finnegan
Mrs Ciara Ferguson

At end insert—

‘Persons aged under 18 convicted of a qualifying offence or, in exceptional circumstances, a recordable offence other than a qualifying offence

63JA.—(1) This Article applies where—

(a) P is convicted of a qualifying offence, or

(b) P is convicted of a recordable offence other than a qualifying offence and paragraph (2) applies, and P was aged under 18 at the time of the offence.

(2) This paragraph applies if, in accordance with the procedure to be prescribed in regulations under this Article—

(a) the Chief Constable makes an application to the Northern Ireland Commissioner for the Retention of Biometric Material for a determination about the continued retention of P’s material beyond the day on which it would otherwise be required to be destroyed, and

(b) the Commissioner determines that exceptional circumstances apply which warrant the retention of the material in the public interest.

(3) P’s material may be retained until the end of the period of 3 years (“the last retention date”) beginning with the date on which P is convicted of the offence in question.

(4) Where the Commissioner has made a determination under paragraph (5), P’s material may be retained—

(a) until the end of a further period of two years beginning with the day following the last retention date (ending on “the last extended retention date”), or

(b) if the material has been retained under paragraph (a), for a further period of two years beginning with the day after the last extended retention date.

(5) If, in accordance with the procedure prescribed in regulations under this Article, the Chief Constable makes an application to the Commissioner before the last retention date (or the last extended retention date as the case may be), the Commissioner may determine that exceptional circumstances apply which warrant the continued retention of the material in the public interest.

(6) If an application is made to the Commissioner for a determination under paragraph (2)(a) or (5) and (apart from this paragraph) the material would be required under Article 63F to be destroyed before the Commissioner has made a determination, the material may be retained until the Commissioner has decided whether to make a determination.

(7) See also Article 63N regarding the application of this Article where P is convicted outside Northern Ireland.’

Ms Emma Sheerin

Ms Aoife Finnegan

Mrs Ciara Ferguson

Amendment 13 *[Negatived on division]*

Clause 1, Page 6

Leave out line 38 to line 15 on page 8

*Ms Emma Sheerin
Ms Aoife Finnegan
Mrs Ciara Ferguson*

Amendment 14 *[Made]*

Clause 1, Page 7, Line 12

Leave out ‘In this Article,’ and insert—

‘ For the purposes of this Article—

(a) Article 53B(1)(a) (references to persons being convicted to be read as including references to being given a caution) does not apply; and

(b)’

Minister of Justice

Amendment 15 *[Made]*

Clause 1, Page 7, Line 29

Leave out ‘community-based’

Minister of Justice

Amendment 16 *[Made]*

Clause 1, Page 7, Line 29

Leave out ‘scheme’

Minister of Justice

Amendment 17 *[Made]*

Clause 1, Page 8, Line 7

Leave out ‘In paragraphs (4) and (5)’ and insert—

‘ For the purposes of this Article—

(a) Article 53B(1)(a) (references to persons being convicted to be read as including references to being given a caution) does not apply; and

(b)’

Minister of Justice

Amendment 18 *[Not called]*

Clause 1, Page 8, Line 19

Leave out ‘63M’ and insert ‘63K’

*Ms Emma Sheerin
Ms Aoife Finnegan
Mrs Ciara Ferguson*

Amendment 19 *[Not called]*

Clause 1, Page 8, Line 20

Leave out ‘reference in Article 63J(1)’ and insert ‘references in Articles 63J(1) and 63JA(1)(a)’

*Ms Emma Sheerin
Ms Aoife Finnegan
Mrs Ciara Ferguson*

Amendment 20 *[Not called]*

Clause 1, Page 8, Line 24

Leave out ‘references in Articles 63K(1), 63L(1) and 63M(1)(a)’ and insert ‘reference in Article 63K(1)’

*Ms Emma Sheerin
Ms Aoife Finnegan
Mrs Ciara Ferguson*

Amendment 21 *[Not called]*

Clause 1, Page 8, Line 34

Leave out ‘63M’ and insert ‘63K’

*Ms Emma Sheerin
Ms Aoife Finnegan
Mrs Ciara Ferguson*

Amendment 22 *[Made]*

Clause 1, Page 8, Line 36

At end insert—

‘Person completing restorative justice process

63NA.—(1) This Article applies where P has completed the restorative justice process with respect to a recordable offence.

(2) If—

- (a) P was aged 18 or over at the time of the offence, and
- (b) the offence is a qualifying offence,

P’s material may be retained until the end of the period of 75 years beginning with the date on which P completed the process.

(3) If—

- (a) P was aged 18 or over at the time of the offence, and
- (b) the offence is a recordable offence other than a qualifying offence,

P’s material may be retained until the end of the period of 25 years beginning with the date on which P completed the process.

(4) If P was aged under 18 at the time of the offence, P’s material may be retained until the end of the period of 5 years beginning with the date on which P completed the process.

(5) For the purposes of this Article, P completes the restorative justice process with respect to an offence if (and only if)—

- (a) P has completed a plan, or any other requirements for successful completion, established with respect to that offence by a person who is an accredited provider of restorative justice services under section 26A of the Justice Act (Northern Ireland) 2025, and
- (b) the Director of Public Prosecutions, having been informed by the Chief Constable of that completion, has determined not to institute proceedings against P in respect of the offence or, as the case may be, not to continue proceedings already instituted against P in respect of the offence.’

Minister of Justice

Amendment 23 *[Negatived on division]*

Clause 1, Page 8

Leave out line 37 to line 3 on page 9

*Ms Emma Sheerin
Ms Aoife Finnegan
Mrs Ciara Ferguson*

Amendment 24 *[Negatived on division]*

Clause 1, Page 9

Leave out lines 4 to 33

*Ms Emma Sheerin
Ms Aoife Finnegan
Mrs Ciara Ferguson*

Amendment 25 *[Made]*

Clause 1, Page 9, Line 4

Leave out ‘or community-based restorative justice scheme’

Minister of Justice

Amendment 26 *[Made]*

Clause 1, Page 9, Line 6

Leave out from ‘either’ to end of line 9 and insert ‘the diversionary youth conference process with respect to a recordable offence.’

Minister of Justice

Amendment 27 *[Made]*

Clause 1, Page 9

Leave out lines 22 to 33

Minister of Justice

Amendment 28 *[Negatived on division]*

Clause 1, Page 9

Leave out lines 34 to 40

*Ms Emma Sheerin
Ms Aoife Finnegan
Mrs Ciara Ferguson*

Amendment 29 *[Negatived on division]*

Clause 1, Page 12, Line 24

At end insert—

‘(4A) The Department of Justice must in regulations make provision—

- (a) requiring the Chief Constable, following a review under paragraph (2), to notify P of the fact that a review has been conducted and of the determination that has been made;
- (b) conferring on P a right of appeal against a determination to retain P’s material under paragraph (2) and about the procedure on such appeals (including the payment of fees and the duty to notify P of the right to appeal);
- (c) disqualifying any member of the Police Service of Northern Ireland for determining an appeal under paragraph (b);
- (d) requiring the Chief Constable to notify P of the right to apply for confirmation that P’s material has been destroyed and to provide P with information about the application procedure.’

*Ms Emma Sheerin
Ms Aoife Finnegan
Mrs Ciara Ferguson*

Amendment 30 *[Not called]*

Clause 1, Page 12, Line 38

Leave out ‘63K(2) and (3), 63L(3) and (4) and 63M(4)’ and insert ‘, 63JA and 63K(2) and (3)’

*Ms Emma Sheerin
Ms Aoife Finnegan
Mrs Ciara Ferguson*

Amendment 31 *[Not called]*

Clause 1, Page 12, Line 41

Leave out ‘63Q’ and insert ‘63K, 63N’

*Ms Emma Sheerin
Ms Aoife Finnegan
Mrs Ciara Ferguson*

Amendment 32 *[Negatived on division]*

Clause 1, Page 13, Line 9

At end insert—

‘(e) disqualifying any member of the Police Service of Northern Ireland for determining an appeal under paragraph (d).’

*Ms Emma Sheerin
Ms Aoife Finnegan
Mrs Ciara Ferguson*

Amendment 33 *[Not called]*

Clause 1, Page 13, Line 19

Leave out ‘63Q and 63S’ and insert ‘63K, 63N and 63S’

*Ms Emma Sheerin
Ms Aoife Finnegan
Mrs Ciara Ferguson*

Amendment 34 *[Negatived on division]*

Clause 1, Page 16, Line 22

Leave out ‘may’ and insert ‘must’

*Ms Emma Sheerin
Ms Aoife Finnegan
Mrs Ciara Ferguson*

Amendment 35 *[Negatived on division]*

Clause 1, Page 16, Line 27

At end insert—

‘(5A) Guidance issued under paragraph (5) must set out the information that a custody officer should provide in writing to P and to P’s solicitor, parent, guardian or appropriate adult, before P’s biometric material is taken, including—

- (a) the maximum period for which P’s material may be retained, and
- (b) the circumstances in which P has a right to appeal against a determination made on a review of the retention of P’s material and the procedure for such appeals.’

*Ms Emma Sheerin
Ms Aoife Finnegan
Mrs Ciara Ferguson*

Amendment 36 *[Made]*

Clause 1, Page 16, Line 31

Leave out ‘63G(4)(c)’ and insert ‘63G(4A)’

Minister of Justice

Amendment 37 *[Not called]*

Clause 1, Page 16, Line 31

After ‘(5)’ insert ‘and Article 63JA(2) and (5)’

*Ms Emma Sheerin
Ms Aoife Finnegan
Mrs Ciara Ferguson*

New Clause

After clause 1 insert—

‘Duty to provide information to persons whose biometric data is taken

1A. Before Article 64 of the Police and Criminal Evidence (Northern Ireland) Order 1989 (Destruction of fingerprints and DNA profiles: introductory) insert—

“Duty to provide information to persons whose biometric data is taken

63C.—(1) Where fingerprints, a DNA sample or a DNA profile are taken from a person under any statutory power, the responsible officer must, at the time of collection, provide that person with written information setting out—

- (a) the statutory basis on which the material is being taken;
- (b) the period for which the fingerprints, DNA sample or DNA profile may be retained under this Part;
- (c) the circumstances in which the material must be destroyed;
- (d) the person’s rights in relation to the retention and destruction of the material; and
- (e) how the person may obtain further information about the retention and use of their biometric data.

(2) Where the retention period applicable to that person’s biometric material changes as a result of—

- (a) the person being charged with, or convicted of, an offence;
- (b) the expiry of a previous retention period;
- (c) the making, renewal or expiry of a national security determination; or
- (d) any other change in the person’s legal status relevant to retention under this Part,

the responsible officer must as soon as reasonably practicable provide the person with written notice.

(3) The written notice must include—

- (a) the change in the retention period;
- (b) the new retention period; and
- (c) the person’s rights in relation to the continued retention of the material.

(4) The Department may by regulations make further provision about the form, content and manner of providing information under this section.

(5) In this section “responsible officer” means—

- (a) the Chief Constable, or
- (b) any person authorised by the Chief Constable for the purposes of this section.

(6) Regulations under subsection (3) are subject to negative resolution.”.’

Mr Gerry Carroll

Amendment 39 [Made]

Clause 3, Page 18, Line 18

Leave out ‘, 63S and 63W’ and insert ‘and 63S’

Minister of Justice

Amendment 40 [Made]

New Clause

After clause 3 insert—

‘Retention, use and destruction of photographs

Retention, use and destruction of photographs

3A.—(1) Article 64A of the Police and Criminal Evidence (Northern Ireland) Order 1989 is amended as follows.

(2) After paragraph (7) insert—

“(7A) The Department of Justice must make regulations about the retention, use and destruction of photographs taken under this Article.

(7B) Before laying the draft regulations the Department must consult—

- (a) the Information Commissioner;
- (b) the Police Service of Northern Ireland;
- (c) the Northern Ireland Human Rights Commission;
- (d) the Committee for Justice of the Northern Ireland Assembly; and
- (e) such organisations as appear to the Department to be representative of interests substantially affected by the proposals.

(7C) If, as a result of consultation under paragraph (7B), it appears to the Department that it is appropriate to change the whole or any part of its proposals, the Department must undertake such further consultation with respect to the changes as the Department considers appropriate.

(7D) The draft regulations, when laid, must be accompanied by a statement summarising the consultation which the Department conducted under paragraph (7B) and any changes which it made to the draft regulations following the consultation.

(7E) A draft of the regulations must be laid before the Assembly within the period of 5 years beginning with the day on which the Justice Act (Northern Ireland) 2026 receives Royal Assent.

(7F) Regulations under paragraph (7A)—

- (a) may make such consequential, supplementary or incidental provision as the Department considers appropriate, and
- (b) may amend any statutory provision (within the meaning given by section 1(f) of the Interpretation Act (Northern Ireland) 1954).

(7G) Regulations may not be made under this section unless a draft of the regulations has been laid before, and approved by a resolution of, the Assembly.”’

Chair, Committee for Justice