

MEMORANDUM

ARMED FORCES BILL

Background

1. This memorandum has been laid before the Assembly by the Minister of Justice under Standing Order 42A (4)(b).
2. I am laying this memorandum to explain that, whilst legislative consent is not being sought at this time, I am advising members that a legislative consent motion will be needed in relation to the Armed Forces Bill.
3. The relevant Northern Ireland related justice provisions in the Bill are detailed below for which I intend to bring forward a legislative consent motion in due course.

Summary of the relevant parts of the Bill and its policy objectives

4. The Armed Forces Bill 2026 was introduced in the House of Commons on 15th January 2026.
5. The latest version of the Bill can be found at: [Armed Forces Bill](#)

Provisions which deal with a Devolution Matter

6. The devolved areas for which I am likely to seek legislative consent for Westminster to legislate on (subject to Executive approval) are set out below.

- **Clauses 6 and Schedule 3** - Protection from domestic abuse and stalking. Clause 6 and Schedule 3 in the Bill will grant the Service Justice System the powers to impose service domestic abuse and stalking protection orders. Schedule 3 provides for the protection orders to remain enforceable in the civilian justice systems once an individual leaves the armed forces. These provisions touch on the devolved area of public protection.
- **Clause 7** - Service restraining orders: enforcement etc by civilian courts. This provides for a service restraining order to be enforceable as an equivalent restraining order in Northern Ireland

after the person who is subject to the service restraining order has left the armed forces

Reasons for not seeking a Legislative Consent Motion at this time

7. Whilst consent is not being requested at this time, formal consent will be sought for the provisions which fall within the remit of the Department of Justice following Executive agreement and once the Committee for Justice has been briefed.

8. The Assembly will appreciate that the content and timing of any Westminster Bill are outside the control of Northern Ireland departments. I received correspondence on measures potentially engaging the LCM process the week before the Bill was introduced in the House of Commons.

9. Since then, my officials have been in discussions with both the Ministry of Defence and legal advisors to gain sufficient information in order to agree whether an LCM was required.

Engagement to date with the Committee for Justice

10. We have written to the Committee to advise of the need for an LCM in relation to the Armed Forces Bill and will provide briefing once we have progressed drafting and policy work.

Conclusion

11. It is my view, in the interests of good government, the provisions of the Bill dealing with devolution matters should be agreed and as such it is my intention to bring forward a Legislative Consent Motion and further Memorandum as soon as possible following the Executive's agreement.