

INDICATIVE MEMORANDUM
IMMIGRATION AND ASYLUM BILL

Background

1. This indicative memorandum has been laid before the Assembly by the Minister for Justice under Standing Order 42A(5).

Reasons for not seeking a consent memorandum at this time

2. 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 for Justice following Executive agreement and once consultation with the Committee for Justice is complete.

3. The Immigration and Asylum Bill was introduced on 30 June 2026.

4. On 30 June the Minister for Border Security & Asylum wrote to the First Minister and deputy First Minister requesting TEO bring forward a legislative consent motion for devolved provisions.

5. The First and deputy First Minister forwarded this letter on 23 September requesting that Department of Justice lead on the Legislative Consent Motion.

6. Therefore, as per Standing Order 42A (7) I was unable to lay a memorandum within 10 working days.

7. I am not able to indicate exactly when I will lay a consent memorandum as this will be dependent on when Executive agreement and Committee consultation is complete. Should the Bill progress as planned through Parliament, it will require Assembly consent by March 2027.

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

8. The latest version of the Bill can be found at: [Immigration and Asylum Bill - Parliamentary Bills - UK Parliament](#)

Provisions which deal with a Devolution Matter

9. 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 Clause 25(8) and (9))** measures relating to slavery and trafficking risk orders.
- **Clauses 44-49** Measures which make provision on slavery and human trafficking statements insofar as they relate to obligations on public authorities.
- **Paragraphs 34, 35 and 38 of schedule 1.** Relating to the IIAA, consequential amendments to legislation to ensure provision of legal aid for appellants and to subject the IIAA to public sector equalities duties as defined in the Northern Ireland Act 1998.

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 Immigration and Asylum Bill and will provide briefing on devolved measures which would apply to NI.

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 consultation with the Justice Committee and Executive agreement.