The 2022 – 2027 Mandate

The Committee for Justice - Legislation

Northern Ireland Assembly

Education Service

February 2024 to October 2026

In March 2024, the Justice Committee was informed by the Department of Justice that the Justice Bill would not contain all its clauses at the time of introduction but that new clauses (in 4 areas) would be brought forward by the Minister, as amendments, at Consideration Stage (which follows Committee Stage).

The Committee was concerned that it would not be able to properly scrutinise the Bill in its entirety and it wrote to the Department to express 'grave concerns' about this, while stressing that the Committee wished to work collaboratively with the Minister to ensure effective passage of the Bill.

Given the complexity of the Bill and the fact that the Minister had indicated before introduction that she would be bringing significant amendments at a later stage covering a range of policy matters, the Committee requested a lengthy Committee Stage from October 2024 to March 2026 which was approved by the Assembly. (In the debate, the Chair of the Committee also referred to the High Court judgement on the Justice (Sexual Offences and Trafficking Victims) Act (Northern Ireland) 2022', which ruled that part of this Act, which allowed anonymity for life and 25 years after death for those suspected but not charged with sexual offences, was outside the legislative competence of the Assembly and 'not law'.)

Key provisions in the Bill included the introduction of a retention framework for DNA and fingerprints, which would set out the length of time that biometric material taken by police under the Police and Criminal Evidence (Northern Ireland) Order (known as 'PACE') could be retained for the purposes of the prevention and detection of crime, and would vary depending on the serious of the offence, criminal history and the age of a person at the time of the offence.

A repeated concern in the evidence received was that there was a gap in the proposals relating to **photographs**. While informing the Committee that they wished to this addressed, the Department said that significant policy development work and public consultation would be required before bringing forward legislative provision on photographs. The Committee therefore tabled its own amendment to the Bill for the retention, use and destruction of photographs to require the Department to undertake the necessary work and bring forward the regulations within five years of the Bill receiving Royal Assent.

The Committee was also concerned that there was no commencement timescale included for the biometrics framework that was in the Bill and tabled an amendment to require those provisions to be commenced within five years (though stressed in its report that it fully expected those provisions to be commenced well before that time had elapsed).

Three clauses of the Bill required that the police and courts take account of a child's "age, maturity and needs" when making decisions relating to bail and custody for children. The Committee tabled amendments to insert "vulnerabilities" as a matter that must also be considered in this regard.

All of the above Committee amendments were made at Consideration Stage of the Bill.

The Committee also noted that there was no date for commencement of provisions in Clause 8 of the Bill, which provided that *a custody officer may consider a child's accommodation needs when making decisions regarding the release of a child, but cannot refuse bail purely due to the absence of suitable accommodation*. The Committee considered proposing an amendment to include a timescale for commencement of these provisions (the law should come into effect by a certain date). However, there is currently a shortage of suitable accommodation and the Committee was advised that responsibility for accommodation rests with the Department of Health so the amendment would impose a statutory burden on another department. Also, commencement of the provisions without adequate suitable accommodation would be setting the provisions up to fail and could mean that the Departments could be in breach of legislation if there was not adequate accommodation available at the date of commencement. The Committee recognised the risks of such an amendment and therefore agreed not to table it. However, Members remain deeply concerned that there is no date for the commencement, as children may not be released on bail (due to no accommodation being available for them). The Committee has urged the Ministers of Health and Justice to work together to commence the provisions at the earliest opportunity.

A number of amendments proposed by MLAs at Consideration Stage related to increasing the minimum age of criminal responsibility (MACR), which is currently 10 years of age. While this topic was raised in evidence that the Committee received on the Bill, it was not something that the Committee explored in significant detail or took a view on, as there was clearly no political agreement on it.

The amendments tabled proposed raising the MACR to various ages – 12, 14 or 16. For the most part, the amendments included exceptions for the most serious offences where a child under the MACR would be charged with the offence, such as murder, manslaughter or rape. The debate on the amendments was lengthy. In general, concerns included that, beyond the excepted offences, there were very serious crimes that could be committed which a child would not be held criminally liable for (eg grievous bodily harm; wounding with intent with/without a weapon; and aggravated burglary). There were also questions about how to deal with those below MACR when they did commit crimes, if they couldn't be dealt with through the criminal justice system.

The amendments were subject to Petitions of Concern and separate Petitions were tabled for each amendment. The Petitions were presented on 15 June and the votes were subsequently taken on 30 June, with the Consideration Stage being completed on that date.

Engagement with Young People

In 2025, Youth Assembly Members were commissioned by the Committee for Justice to examine the Justice Bill, focusing on bail, remand, custody of children, and retention of biometric data. On 26 March, Youth Assembly Members met with the Minister of Justice, Naomi Long MLA, to discuss their concerns. They later gave formal evidence to the Justice Committee, emphasising the importance of children's rights in justice processes and highlighting the lived experiences of young people

The Committee for Justice is currently taking the Committee Stage of 2 further Bills:

The Criminal Justice (Sentencing) Bill was introduced by the Minister in March 2026 with the aim of reforming the sentencing framework in Northern Ireland.

The Committee for Justice launched a Call for Evidence in March 2026 – inviting the public and stakeholder groups to send in written submissions, detailing their views on the Bill. The Committee's press release said:

> "The Bill contains a series of important measures aimed at strengthening the sentencing system, improving transparency and enhancing public confidence in how sentences are determined.
>
> Key provisions within the legislation include new powers to refer and review unduly lenient sentences, a new offence relating to assaults on public sector workers and stronger penalties for causing death or serious injury through driving offences.
>
> The introduction of Charlotte's Law* will establish robust new measures to deal with murder cases where an offender fails to reveal the location of a victim's remains, ensuring this refusal is fully reflected in the sentence.
>
> New aggravating factors will be introduced for offences that target certain protected groups and vulnerable individuals."
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> * Named after Charlotte Murray, who was murdered in 2012. Her killer was convicted but has never revealed the location of her remains, prompting her family to lead a campaign for reform.

Victims and Witnesses of Crime Bill

This was introduced in June 2026 with the general aim of better supporting victims and witnesses through the criminal justice system. Specific aims include:

- to create the new post of a Commissioner for Victims and Witnesses of Crime;
- to strengthen protections for those affected by hate crime, eg by prohibiting cross-examination by defendants; and
- to ensure privacy, dignity and protection for complainants in serious sexual offence cases by

providing a right to pre-trial independent legal representation and to strengthen safeguards around disclosure of private records.

Legislative Consent Motions

The Committee for Justice has considered 5 LCMs to date in the current mandate. In 2024, it agreed to support the Minister for Justice in seeking the Assembly's approval of a legislative consent motion to extend the provisions of the Westminster *Post Office (Horizon Systems) Offences Bill*, to Northern Ireland, which would result in the **quashing of convictions and deletion of cautions in relation to the Post Office Horizon scandal**. Also, that year, it supported an LCM on the Arbitration Bill (a form of dispute resolution), which made a number of minor changes to the 2023 Arbitration Act.

In 2025, the Committee supported the Minister's LCMs on the Border, Security, Asylum and Immigration Bill, and the Crime and Policing Bill.

Note about the legislative work of the Committee in the 2017-2022

The Committee for Justice scrutinised 5 Executive Bills during this shortened mandate (the Assembly was 'down' until January 2020). Some of that legislation is very significant in that it created new crimes of stalking and taking personal photos of people without consent. It also sought to improve criminal justice outcomes for victims of crime. As a result of the Committee's work, many amendments were made to the legislation.

November 2026