



# Annual Report

for the year ended 31 March 2022

Laid before the Northern Ireland Assembly by the Department of Justice under Section 52(2) of the Justice (Northern Ireland) Act 2002 (as amended by paragraph 10 of Schedule 13 to the Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010).

September 2022

## CONTENTS

<b>Chair's Report</b> .....	2
<b>The Commission's running costs</b> .....	3

---

## **THE NORTHERN IRELAND LAW COMMISSION**

### **ANNUAL REPORT 2021-2022**

#### **Chair's Report**

This is the ninth Annual Report of the Northern Ireland Law Commission (NILC), covering the period from 1 April 2021 to 31 March 2022.

The Commission was established in 2007 to keep the law of Northern Ireland under review and make recommendations for reform. However, it has not been operational since April 2015. The decision to stand down the Commission at that time was taken by the then Minister for Justice as a result of financial pressures facing the Department and the need to secure front-line services. It remains the position that the Commission is not receiving funding from the Department to enable it to operate as intended, by reason of other financial pressures.

However, the legislation (the Justice (Northern Ireland) Act 2002) which established the Commission has not been repealed, meaning that the Commission continues on a statutory footing.

While I was delighted to be appointed as Chair in June 2021, the Northern Ireland Law Commission presently exists without any other commissioners, staff, premises or budget. As such, the Commission has been unable to carry out its statutory functions.

Independent economic analysis of the work of the Law Commission in England and Wales has highlighted the considerable benefits to the economy,

to society and to businesses through meaningful law reform. While Northern Ireland is a smaller region, I believe that a fully functioning Law Commission in this jurisdiction could bring similar benefits for citizens here, providing value for money and playing an important role in complementing and supporting future Executive Programmes for Government.

I would therefore hope to see the Northern Ireland Law Commission fully re-established in the future. The current Minister for Justice has indicated that it is not possible to commit the resources this would require in the current financial situation. She is nonetheless supportive of the desirability and benefits of a Law Commission and we understand that she will keep the matter under review in case circumstances should change.

Since taking up my role as Chair, I have been keen to identify useful avenues to take forward some limited work on behalf of the Commission. I have engaged with the Department of Justice and the Law Commissions in the rest of the United Kingdom to discuss how the Commission in its present form might make a meaningful contribution to UK-wide law reform projects. I have also worked with legal academics at Queen's University, Belfast to progress a funded studentship for a doctoral student to take forward research into an issue of administrative law in Northern Ireland and it is hoped that that work will begin in 2022-23.

**SIR DAVID SCOFFIELD**  
**Chair**  
**Northern Ireland Law**  
**Commission**

## **Summary of running costs during 2021-22**

The Northern Ireland Law Commission is funded by the Department of Justice.

From the 2011-12 financial year onwards, the Comptroller and Auditor General has not been required to examine, certify and report on the Law Commission's statement of accounts in accordance with Section 102 of the Justice Act (Northern Ireland) 2011.

However, there is a continuing requirement for the Commission to prepare accounts in accordance with a direction issued by the DoJ in accordance with paragraph 6(2) of Schedule 9 to the Justice (Northern Ireland) Act 2002 as amended by the Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010.

The Law Commission's accounts are therefore now incorporated within the DoJ Sponsor Departments Annual Accounts.

There was no expenditure or general running costs in 2021-22.