

*These notes refer to the Criminal Justice Act (Northern Ireland)
2013 (c.7) which received Royal Assent on 25 April 2013*

Criminal Justice Act (Northern Ireland) 2013

EXPLANATORY NOTES

CONSULTATION

Consultation on the retention of fingerprints, samples etc.

33. Following the ECtHR judgment, in May 2009 the UK Government issued a consultation paper entitled 'Keeping the right people on the DNA Database'. This contained a range of proposals aimed at replacing the 'blanket' retention policy with a framework which would discriminate between different kinds of case and apply strictly-defined storage periods for data. As the judgment applied equally to the legislative position in Northern Ireland, a joint public consultation exercise was carried out on the policy proposals in England, Wales and Northern Ireland.
34. Two sets of legislative proposals prepared following the consultation were subsequently abandoned and, following the devolution of justice to the Assembly and the General Election in May 2010, proposals for England and Wales were published in what is now the Protection of Freedoms Act 2012. The Department of Justice proceeded with public consultation on proposals based largely on the framework described in that Act. Overall, the proposed framework was viewed favourably by most respondents as a proportionate and balanced approach to replacing the current indefinite retention policy. As expected, given the subject matter, a wide range of views was expressed on various aspects of the policy proposals.
35. The consultation document and summary of responses can be found at:
http://www.dojni.gov.uk/index/public-consultations/archive-consultations/consultation_on_proposals_for_the_retention_and_destruction_of_fingerprints_and_dna_in_n