

*These notes refer to the Justice (Northern Ireland) Act
2002 (c.26) which received Royal Assent on 24th July 2002*

JUSTICE (NORTHERN IRELAND) ACT 2002

EXPLANATORY NOTES

COMMENTARY

Part 5: Miscellaneous

Court Service

Section 78: Power to abolish the Court Service

155. The Criminal Justice Review recommended that in the event of the devolution of justice matters, a Department of Justice should be created with responsibility for all justice functions (para 15.62). This would not include those Northern Ireland Court Service (“Court Service”) functions which are being devolved elsewhere, for example judicial appointments (see section 3). The Review envisaged the remaining functions being delivered through a Next Steps agency. This section and section 89(1) provide for the Lord Chancellor to make an order transferring the Court Service’s functions and allows this transfer to take place at any time. It provides for the Court Service to be abolished as part of this process.