



**Northern Ireland
Assembly**

COMMITTEE FOR JUSTICE

MINUTES OF PROCEEDINGS

THURSDAY 18 FEBRUARY 2021

Senate Chamber, Parliament Buildings, Belfast

Present: Mr Paul Givan MLA (Chairperson)
Ms Linda Dillon MLA (Deputy Chairperson)
Mr Doug Beattie MLA*
Ms Sinéad Bradley MLA*
Mr Gordon Dunne MLA*
Mr Paul Frew MLA
Ms Emma Rogan MLA*
Ms Rachel Woods MLA*

* These Members attended the meeting via video conferencing.

Apologies: Ms Jemma Dolan MLA

In Attendance: Mrs Christine Darrah (Assembly Clerk)
Mrs Kathy O'Hanlon (Senior Assistant Clerk)
Mrs Allison Mealey (Clerical Supervisor)

The meeting commenced at 2.09 p.m. in closed session.

1. SL1: Amendment to the Criminal Justice (Sentencing) (Licence Conditions) (Northern Ireland) Rules 2009

Department of Justice officials joined the meeting at 2.11 p.m.

The officials outlined the key points in relation to the policy intent behind the proposed Statutory Rule.

The oral evidence was followed by a question and answer session.

The officials agreed to provide further information on a number of issues.

The Chairperson thanked the officials for their attendance.

The Committee moved into open session at 3.17 pm.

Agreed: The Committee agreed that the oral evidence session on the Stocktake of Policing Oversight and Accountability should be reported by Hansard.

2. Apologies

As above.

The Clerk informed the Committee that, under Standing Order 115(6), Jemma Dolan MLA had delegated authority to the Deputy Chairperson, Linda Dillon MLA, to vote on her behalf.

3. Draft Minutes

Agreed: The Committee agreed the minutes of the meeting held on 11 February 2021.

4. Matters Arising

Item 1 – Committee Forward Work Programme - February and March 2021

The Committee noted the Forward Work Programme for February and March 2021.

Item 2 – Criminal Justice (Committal Reform) Bill

The Committee noted a written submission from Victim Support (NI) on the Criminal Justice (Committal Reform) Bill.

Agreed: The Committee agreed to add any issues highlighted by Victim Support (NI) to the summary of evidence which would be forwarded to the Department of Justice for a written response.

Agreed: The Committee agreed to request information on any analysis carried out on what impact the case management regulations, provided for in the Justice (NI) Act 2015, have had on speeding up the progress of cases through the criminal justice system and in particular those for indictable offences.

Item 3 - Letter from the Department of Justice on the Troubles Permanent Disablement Payment Scheme

The Committee considered correspondence from the Department of Justice providing an update on progress to put in place the necessary administrative arrangements for the Troubles Permanent Disablement Payment Scheme and identify funding for the payments.

Agreed: The Committee agreed to request an update from the Minister of Justice on the meeting with the Secretary of State and on what further engagement has taken place with the Minister of Finance to identify funding for the payments.

Agenda items 6, 7, 8, 9, 10, 11, 12 and 13 were taken next due to technical difficulties with the Starleaf video-conferencing facilities.

5. Damages (Return on Investment) Bill

The Committee considered two letters from the Minister of Justice providing additional information in relation to the legal framework for setting the Personal Injury Discount Rate provided for in the Damages (Return on Investment) Bill and setting out an indicative timeline for the Bill to pass all stages before the Assembly summer recess.

The Committee discussed the indicative timeline which provided for a condensed Committee Stage.

Agreed: The Committee agreed to seek the views and comments of the Assembly Speaker on the Executive's position regarding a condensed Committee Stage for this Bill and to raise the matter with the Chairpersons' Liaison Group.

6. SL1: Amendment to the Criminal Justice (Sentencing) (Licence Conditions) (Northern Ireland) Rules 2009 – Committee Consideration

The Chairperson reminded the Committee that the officials had agreed to provide further information on a range of issues during the oral evidence session on the proposal for the Statutory Rule earlier in the meeting.

Agreed: The Committee agreed to defer consideration of the proposal for the Statutory Rule until the additional information was available.

7. EU Exit and Justice Related Issues - Update

The Committee considered an update provided by the Department of Justice on aspects of the Trade and Cooperation Agreement and related issues relevant to the justice sector.

Agreed: The Committee agreed to request further information on the impact of the outworking's of the Ireland/Northern Ireland Protocol on the justice sector and if any additional funding may now be needed further to that required by the Police Service of Northern Ireland and on a number of other issues.

8. Draft Budget 2020-21 – Update from the Department of Justice

The Committee considered an update from the Department of Justice in relation to the 2021-22 Draft Budget, including details of the draft capital budget allocations for each spending area.

Agreed: The Committee agreed to request further information from the Department of Justice on the capital projects that will be funding in each spending area and those that will not be funded in 2021-22.

9. Proposals to Amend the Legislation Governing the Retention of DNA and Fingerprints in Northern Ireland – Response from the Department of Justice to issued raised by the NI Human Rights Commission

The Committee noted a response from the Department of Justice to issues raised by the Northern Ireland Human Rights Commission (NIHRC) on the proposals to amend the legislation governing the retention of DNA and Fingerprints in Northern Ireland.

Agreed: The Committee agreed to consider the response when the Department's response to the issues raised by the Northern Ireland Commissioner for Children and Young People is available.

10. Correspondence

- i. The Committee considered a response from the Northern Ireland Courts and Tribunals Service (NICTS) to the findings of a recent survey on the Impact of Covid-19 on Family Courts in Northern Ireland by the Ulster University Law Clinic.

Agreed: The Committee agreed to forward the response to the Ulster University Law Clinic for information and any further comments the researchers wished to make.

- ii. The Committee considered correspondence from the British Association for Shooting and Conservation (BASC) and the NI Firearms Dealers Association requesting the opportunity to give a short joint presentation to the Committee on the PSNI Firearms and Explosives Branch policy decision to introduce an application process and fee for firearms magazines which the organisations believe is not compatible with the legislative position.

Agreed: The Committee agreed to forward the correspondence to the Department of Justice for its views and comments on the policy change in the context of the current firearms legislation including the fees and transaction structure agreed as part of the Justice Act in 2015/16.

Agreed: The Committee agreed to consider what further action, if any, may be necessary following the meeting between the organisations and PSNI Firearms and Explosives Branch due to take place within the next week.

- iii. The Committee considered correspondence from the Minister of Justice advising that she had asked the Prison Service Pay Review Body to publish its report on the pay of operational prison grade staff for 2020, the recommendations of which had been approved by the Minister of Finance on 12 February 2021.

Agreed: The Committee agreed to ascertain the position in relation to the pay settlement for Police Staff.

The Committee noted the following:

- iv. A response from the Department of Justice providing further information requested by the Committee in relation to whether Personal Independence Payments (PIP) are considered as income when PSNI or PSNI Reserve injury on duty awards are being calculated.

- v. A response from the Department of Justice providing an update regarding when further information on progress to deliver strategic recommendation four of the Criminal Justice Inspection Northern Ireland (CJINI) Report on a Thematic Inspection of Public Protection Arrangements in Northern Ireland and the development of performance indicators would be available.
- vi. The Northern Ireland Courts and Tribunals Service (NICTS) Quarterly Official Statistics bulletin schedule and Judicial Statistics for 2019 which were published on 9 October 2020.
- vii. Correspondence from the Committee for Finance providing a copy of the Annual Report of the Lay Observer for Northern Ireland 2019-20 in relation to complaints associated with solicitors and ultimately the Law Society.
- viii. Notification from the Northern Ireland Judicial Appointments Commission (NIJAC) of the appointment of Mr Michael Robert Humphreys QC as a High Court Judge in Northern Ireland.
- ix. Correspondence from the Minister of Justice advising of her decision to increase sentences for a number of serious driving offences following the Department's Review of Sentencing.
- x. The Criminal Justice Inspection Northern Ireland (CJINI) Report of a Follow-Up Review of how the PSNI uses discretion and penalty notices to deal with low level offences.
- xi. Correspondence from the Minister of Justice providing an update on the current position regarding Hydebank Wood and Covid-19.

11. Chairperson's Business

The Chairperson informed Members that he and the Deputy Chairperson had attended an informal meeting with the Lord Chief Justice to discuss a range of issues.

The Chairperson advised Members that the Lord Chief Justice had agreed to attend a Justice Committee meeting before summer recess and a suitable date would be identified for this.

Agreed: The Committee agreed to write to the Lord Chief Justice regarding the Criminal Justice (Committal Reform) Bill.

12. Any Other Business

None.

13. Stocktake of Policing Oversight and Accountability Arrangements – Discussion Paper

The following officials joined the meeting at 4.12 p.m.:

Maura Campbell, Deputy Director and Head of Policing Policy and Strategy Division, Department of Justice

Lisa Boal, Policing Policy and Strategy Division, Department of Justice

The officials outlined the key issues in relation to the Stocktake of Policing Oversight and Accountability Discussion paper.

The oral evidence was followed by a question and answer session.

The oral evidence session was reported by Hansard.

The Chairperson thanked the officials for their attendance.

Agreed: The Committee agreed to request further information in respect of one of the recommendations in the Police Ombudsman's Five-Year Review Report.

14. Date, Time and Place of the next meeting

The next meeting will be held on Thursday 25 February 2021 at 2.00 p.m. in Room 30, Parliament Buildings.

The meeting was adjourned at 4.54 p.m.

Mr Paul Givan MLA
Chairperson, Committee for Justice