



**Northern Ireland
Assembly**

COMMITTEE FOR JUSTICE

MINUTES OF PROCEEDINGS

THURSDAY 21 JANUARY 2021

The 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*
Ms Jemma Dolan 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: None.

In Attendance: Mrs Christine Darrah (Assembly Clerk)
Mrs Kathy O'Hanlon (Senior Assistant Clerk)
Miss Leanne Johnston (Assistant Clerk)

The meeting commenced at 2.03 p.m. in public session.

Agreed: The Committee agreed that the oral evidence session should be reported by Hansard.

1. Apologies

As above.

2. Draft Minutes

Agreed: The Committee agreed the minutes of the meeting held on 14 January 2021.

3. Matters Arising

Item 1 – Follow-up from Meeting on Tuesday 19 January

The Committee considered several issues that were raised during the oral evidence session with the Minister of Justice at the meeting on 19 January 2021.

Ms Bradley joined the meeting at 2.05 p.m.

Agreed: The Committee agreed to request information from the Department of Justice on the behavioural analysis being considered by the enforcement of the Covid-19 Regulations Taskforce when it is available and an update on progress to put in place the Troubles Permanent Disablement Payment Scheme arrangements.

Agreed: The Committee agree to request further information from the Criminal Justice Inspection Northern Ireland on the Terms of Reference for the Review into the Operation of Care and Supervision Units in the NI Prison Service.

Item 2 – Draft Budget 2021-22

The Committee noted that the Draft Budget 2021-22 had been announced by the Minister of Finance on 18 January 2020 and Committee staff were engaging with Department of Justice officials to arrange an oral evidence session on the Department’s budget allocations.

Agreed: The Committee agreed to request views and comments from the Northern Ireland Policing Board and the PSNI on the likely implications and potential pressures arising from the PSNI draft Budget 2021-22 allocations.

Agreed: The Committee agreed to request views and comments from the Department of Justice’s NDPBs on the likely implications and potential pressures arising from the draft Budget 2021/22 allocations.

Item 3 – Letter from the Minister of Justice on the Domestic Abuse and Civil Proceedings Bill and the Repercussive Issue

The Committee considered correspondence from the Minister of Justice outlining the key points of the opinion she had received on the risk of repercussion in the legal aid schemes in other parts of the United Kingdom and to the legal aid schemes in Northern Ireland as a result of the legal aid provisions in the Domestic Abuse Bill.

Agreed: The Committee agreed to request an update on the due diligence work being undertaken by the Department and the plan to give effect to the legal aid provisions in the Bill in three months time.

4. Protection from Stalking Bill – Principles of the Bill

The following officials joined the meeting at 2.13 p.m.:

Brian Grzymek, Deputy Director, Criminal Justice Policy and Legislation Division, Department of Justice;
Andrew Laverty, Head of Criminal Law Branch, Criminal Justice Policy and Legislation Division, Department of Justice; and
Barbara Compston, Criminal Law Branch, Department of Justice.

The officials provided an overview of the principles and provisions of the Bill.

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

The oral evidence session was reported by Hansard.

The officials agreed to provide further information on several issues.

The Chairperson thanked the officials for their attendance.

Agreed: The Committee agreed that it was content to support the principles of the Bill.

Agreed: The Committee agreed to ask the Department of Justice to provide a list of the organisations that responded to its consultation on the proposals for stalking legislation.

The Chairperson advised the Committee that he would reflect the views of the Committee during the Second Stage debate on the Bill.

5. Criminal Justice (Committal Reform) Bill

The Committee noted the responses received to its call for written evidence on the Criminal Justice (Committal Reform) Bill and considered proposals for oral evidence sessions for the meetings on 4 February and 11 February 2021.

Agreed: The Committee agreed to place the submissions received from organisations and the correspondence and briefing papers from the Department of Justice on the Committee Bill webpages.

Agreed: The Committee agreed to schedule oral evidence sessions with the Bar of NI, the Law Society and the Public Prosecution Service on 4 February and 11 February 2021.

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

The Committee considered a proposal by the Department of Justice to make a Statutory Rule to amend the Criminal Justice (Sentencing) (Licence Conditions) (Northern Ireland) Rules 2009 to allow the Department to designate organisations other than the Probation Board to supervise offenders on licence who pose a risk of serious harm to the public.

Agreed: The Committee agreed to schedule an oral evidence session with Departmental officials on the policy intent behind the proposed Statutory Rule.

7. Proposals for New Legal Framework for Setting the Personal Injury Discount Rate and Review of the Current Rate

The Committee considered correspondence from the Minister of Justice requesting an opportunity to brief the Committee on her reasons for seeking accelerated passage for the Damages (Return on Investment) Bill and further information from the Department on the issue and the proposals for a new legal framework.

Agreed: The Committee agreed to invite the Minister of Justice to attend the meeting on Thursday 28 January 2021 to outline her reasons for seeking accelerated passage of the Bill.

Agreed: The Committee agreed that the oral evidence session scheduled for Thursday 28 January 2021 on the Stocktake of Policing Oversight and Accountability Arrangements should be deferred to another date to accommodate the Minister's attendance.

8. Correspondence

- i. The Committee considered a response from the Minister of Justice providing further information on the engagement of the Department of Justice with the Department of Health to take forward relevant recommendations from the Inquiry into Hyponatraemia Related Deaths.

Agreed: The Committee agreed to request further information from the Department of Justice on whether it has any role in considering and advising the Department of Health on the recommendations relating to the duty of candour and the associated criminal sanctions and advise that it would welcome a further update on the Coroner's Service contribution to the Independent Medical Examiner Pilot Scheme.

- ii. The Committee considered a response from the Department of Justice providing further information on whether there are any other Justice non-departmental public bodies that the issues of delegating functions to staff without power to do so in founding legislation applies to and whether the proposed amendments to the legislation would make any changes to the reporting requirements of Boards/Trusts involved.

Agreed: The Committee agreed to request details of the timescale and legislative vehicle to make the necessary change to the Police (NI) Act 2000 and further information on whether there is a need to change the NI Policing Board internal procedures until the necessary legislative change is made.

- iii. The Committee considered a response from the Northern Ireland Commissioner for Children and Young People (NICCY) on the issues raised by the NI Human Rights Commission (NIHRC) regarding children and young people in relation to the Department's proposed way forward on the retention of DNA and Fingerprints.

Agreed: The Committee agreed to forward the correspondence from NICCY to the Department of Justice and request a response to the issues raised.

- iv. The Committee considered correspondence from the British Association for Shooting and Conservation (BASC) and the NI Firearms Dealers Association raising concerns and opposition to a new PSNI Firearms and Explosives Branch policy.

Agreed: The Committee agreed to forward the correspondence to the Chief Constable of the PSNI and request a response to the issues raised in the correspondence, clarification of the process by which the policy for the online purchase of firearms,

ammunition and component parts, previously deemed to be illegal, was changed and further information on the online process for the renewal of applications.

The Committee noted the following:

- v. A response from the Department of Justice providing correspondence with the Department of Finance on the potential repercussive nature of the legal aid provisions in the Domestic Abuse Bill following the oral evidence session on 8 December 2020.
- vi. A copy of correspondence from the Committee for Finance to the Department of Infrastructure regarding scrutiny of January monitoring.
- vii. A response from the Public Accounts Committee advising that it will consider the request to carry out a further inquiry into Legal Aid when it considers its Forward Work Programme.
- viii. A response from the Police Service of Northern Ireland providing further information regarding the timescale for its PSNI Retention and Disposal Schedule.

9. Chairperson's Business

None.

10. Any Other Business

None.

11. Date, Time and Place of the next meeting

The next meeting will be held on Thursday 28 January 2021 at 2.00 p.m. in Room 30, Parliament Buildings.

The meeting was adjourned at 3.45 p.m.

Mr Paul Givan MLA
Chairperson, Committee for Justice