



Northern Ireland
Assembly

Committee for Justice

Minutes of Proceedings

4 March 2021

Meeting Location: The Senate Chamber, Parliament Buildings, Belfast

Present: Mr Paul Givan MLA (Chairperson)

Mr Paul Frew MLA

Present by Video or Teleconference:

Ms Linda Dillon MLA (Deputy Chairperson)

Mr Doug Beattie MLA

Ms Sinéad Bradley MLA

Ms Jemma Dolan MLA

Ms Rachel Woods MLA

Apologies: Mr Gordon Dunne MLA

Ms Emma Rogan MLA

In Attendance: Mrs Christine Darrah (Assembly Clerk)

Mrs Kathy O'Hanlon (Senior Assistant Clerk)

Mrs Clairita Frazer (Assistant Clerk)



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In Attendance by Video or Teleconference:

Mrs Allison Mealey (Clerical Supervisor)

The meeting commenced at 2:02 p.m. in open session

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

1. Apologies

As above.

The Clerk informed the Committee that, under Standing Order 115(6), Gordon Dunne MLA had delegated authority to the Chairperson, Paul Givan MLA, to vote on his behalf and Emma Rogan had delegated authority to the Deputy Chairperson, Linda Dillon MLA, to vote on her behalf.

2. Draft Minutes

Agreed: The Committee agreed the minutes of the meeting held on 25 February 2021.

3. Matters Arising

Item 1 - Spring Supplementary Estimates and 2021-22 Budget – Response from the Department of Justice

The Committee noted a response from the Department providing clarification of the change in gross provision in respect of Annually Managed Expenditure (AME) for the



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Legal Services Agency Northern Ireland in the 2020-21 Spring Supplementary Estimates.

Agreed: The Committee agreed to schedule a further oral briefing on the Department of Justice's budget outcome and priorities for the meeting on 15 April 2021.

Item 2 - Spring Supplementary Estimates 2020-21 – Supplementary Page

The Committee noted a supplementary page to the 2020-21 Spring Supplementary Estimates laid by the Department of Finance on 1 March 2021.

Item 3 - Damages (Return on Investment) Bill – Responses from the Department of Justice, the Assembly Speaker and the Minister of Finance

The Committee noted a response from the Department of Justice providing further information following the oral evidence session with the Minister of Justice and officials on the Damages (Return on Investment) Bill on 28 January 2021.

The Committee noted a response from the Minister of Finance regarding what consideration and assessment had taken place of the wider financial implications for the Executive and Government Departments of the legal framework to set the personal injury discount rate contained in the Damages (Return on Investment) Bill.

The Committee noted the response from the Assembly Speaker outlining his views on the Executive's decision for a condensed Committee Stage for the Damages (Return on Investment) Bill as set out in correspondence from the Minister of Justice.

The Chairperson advised the Committee that the Chairpersons' Liaison Group had discussed the letter from the Committee on the Executive's decision for a condensed Committee Stage for the Damages (Return on Investment) Bill as set out in correspondence from the Minister of Justice at its meeting on 3 March and agreed to write to the Speaker on the matter.



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Item 4 - Update on Funding and Planning for Phase 2 of the Executive's Programme for Tackling Paramilitary Activity, Criminality and Organised Crime

The Committee noted information provided by the Minister of Justice regarding the funding available for Phase 2 of the Tackling Paramilitary Activity, Criminality and Organised Crime Programme and the projects to be funded in 2021/22.

The Chairperson advised the Committee that an oral briefing on the Phase 2 programme would be scheduled into the Forward Work Programme before summer recess.

4. Draft Adult Restorative Justice Strategy for Northern Ireland - Summary of Consultation Responses and Proposed Next Steps

The following officials joined the meeting at 2.12 p.m.

Paul Doran, Director of Rehabilitation, Department of Justice

Steven McCourt, Head of Rehabilitation, Resettlement and Reducing Reoffending, Department of Justice

Mr Doran outlined the results of the public consultation on the development of an Adult Restorative Justice Strategy for Northern Ireland and the proposed next steps.

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.

The Committee noted that the Department would provide the draft Adult Restorative Justice Strategy and associated Action Plan to the Committee for consideration in due course.



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5. Domestic Abuse and Civil Proceedings Bill - Domestic Abuse Offence Guidance

The Chairperson advised the Committee that the Domestic Abuse and Civil Proceedings Bill had received Royal Assent and became law on 1 March 2021.

The Committee noted further information provided by the Department of Justice on a number of issues it had raised regarding the Statutory Domestic Abuse Offence Guidance.

Agreed: The Committee agreed to request clarification from the Department on the additional text to be included in the guidance in respect of clause 28 of the Bill.

Agreed: The Committee agreed to request an update on progress with the work on training, system changes and awareness raising in September 2021.

6. Police, Crime, Sentencing and Courts Bill - Proposed Legislative Consent Motion

The Committee considered additional information provided by the Department of Justice on the proposed Legislative Consent Motion (LCM) in relation to the Police, Crime, Sentencing and Courts Bill including additional provisions to be included in the Bill and LCM.

Agreed: The Committee agreed to seek the views of the Attorney General for Northern Ireland, the Northern Ireland Human Rights Commission and the Northern Ireland Commissioner for Children and Young People on the provisions to be included in the LCM including their compatibility with the European Convention on Human Rights.



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7. SR 2021/37 The Explosives (Appointment of Authorities and Enforcement) (Amendment) (EU Exit) Regulations (Northern Ireland) 2021

The Committee considered SR 2021/37: The Explosives (Appointment of Authorities and Enforcement) (Amendment) (EU Exit) Regulations (Northern Ireland) 2021 which would make minor amendments to the Explosives (Appointment of Authorities and Enforcement) Regulations (Northern Ireland) 2015 in order to implement the Northern Ireland/Ireland Protocol in the Withdrawal Agreement.

The Committee noted that the Examiner of Statutory Rules had no issues to raise with regard to the technical aspects of the Rule, which is subject to the negative resolution procedure.

Members outlined their party positions in relation to the Protocol.

The question was put that the Committee had no objection to the Statutory Rule.

The Committee divided: Ayes 5; Noes 4; Abstain 0

Ayes: Ms Linda Dillon, Ms Emma Rogan (proxy vote), Ms Jemma Dolan, Ms Sinéad Bradley, Ms Rachel Woods.

Noes: Mr Paul Givan, Mr Gordon Dunne (proxy vote), Mr Paul Frew, Mr Doug Beattie.

Agreed: The Committee for Justice considered SR 2021/37: The Explosives (Appointment of Authorities and Enforcement) (Amendment) (EU Exit) Regulations (Northern Ireland) 2021 and had no objection to the Rule.

8. SL1: The Postal Administration Rules (Northern Ireland) 2020

The Committee noted responses from the Committee for the Economy and the Department of Justice advising that the Department for the Economy, Companies House and the Enforcements of Judgement Office were content with the proposals for a Statutory Rule to provide the procedure for the special postal administration regime.



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Agreed: The Committee agreed that it was content with the proposal for the Statutory Rule.

9. New Strategic Programme for Government - Update on Progress

The Committee considered a progress update provided by the Department of Justice on the development of the new Strategic Programme for Government including information on the proposed Outcome “Everyone feels safe – we all respect the law and each other”.

Agreed: The Committee agreed to consider the Department of Justice’s draft action plan to support the agreed outcomes relevant to justice when available.

10. Troubles Permanent Disablement Payment Scheme - Update

The Committee considered information provided by the Minister of Justice on recent developments in relation to the Troubles Permanent Disablement Payment Scheme including the appointment of the President and members of the Victims’ Payments Board, the application process and meetings to secure funding for the scheme payments.

The Committee discussed a range of potential actions that it may wish to take forward.

Agreed: The Committee agreed that the Clerk should liaise with the Clerk to the Committee for the Executive Office on the matter and prepare a paper for consideration at the next meeting.

11. Correspondence

- i. The Committee considered a request from Mr Daniel McCrossan MLA on behalf of a constituent for a meeting with the Chairperson and/or the



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Committee regarding the proposals by the Minister of Justice to increase the maximum tariffs for causing death or grievous bodily injury by dangerous driving and causing death or grievous bodily injury by careless driving under the influence of drink or drugs.

Agreed: The Committee agreed that an informal meeting, to which all Committee Members would be invited to attend, should be arranged.

- ii. The Committee considered further correspondence from an individual regarding an ongoing employment case in the Industrial Tribunal/Court of Appeal.

Agreed: The Committee agreed to again inform the individual that it does not become involved in individual cases and advise the individual to contact their constituency MLAs.

The Committee noted the following:

- iii. A response from the Department of Justice to the Committee's request for an update on engagement and handling of the wider issues relating to the enforcement of the Health Protection Regulations.
- iv. A response from the Department of Justice providing the further information requested by the Committee on the 2020-21 projects that have been affected by the Covid-19 restrictions and will continue to be funded in 2021-22 from the Assets Recovery Community Scheme budget.
- v. A response from the Public Accounts Committee regarding the development and implementation of a Statutory Registration Scheme for Legal Aid Practitioners in Northern Ireland.
- vi. A copy of a letter from the Committee for Communities to the Department of Justice regarding the Department's intention to continue funding the Women Involved in Community Transformation Programme.
- vii. Notification from the Northern Ireland Judicial Appointments Commission of the appointment of Mr Kevin Rooney QC as a High Court Judge in Northern Ireland on 1 March 2021.
- viii. A copy of correspondence from the Royal Society for the Protection of Birds to the Minister of Finance requesting the establishment of a Green



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Recovery Fund in Northern Ireland and providing information on its Five Point Plan for a Green Recovery.

- ix. The Investment Strategy Northern Ireland – Department of Justice’s Procurement Activity Report for February 2021

12. Chairperson’s Business

None.

13. Any Other Business

The work being undertaken to explore the implications for the justice system in Northern Ireland of commencing section 49(1) of the Coroners and Justice Act 2009 which would amend section 13 of the Coroners Act (Northern Ireland) 1959 allowing a coroner to hold an inquest into a death abroad where the body has been repatriated and is ‘lying’ in Northern Ireland, due to be completed by January 2021, was raised.

Agreed: The Committee agreed to seek an update on progress on this matter.

14. Date, Time and Place of the next meeting

The next meeting will be held on Thursday 11 March 2021 at 2.00 p.m. in Room 30, Parliament Buildings.

The meeting was adjourned at 3.40 p.m.



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Paul Givan MLA

Chairperson, Committee for Justice

11 March 2021