



Northern Ireland
Assembly

Committee for Justice

Minutes of Proceedings

10 February 2022

Meeting Location: The Senate Chamber, Parliament Buildings, Belfast

Present: Mr Mervyn Storey MLA (Chairperson)

Mr Robin Newton MLA

Mr Peter Weir MLA

Present by Video or Teleconference:

Ms Sinéad Ennis MLA (Deputy Chairperson)

Mr Doug Beattie MLA

Ms Sinéad Bradley MLA

Ms Rachel Woods MLA

Apologies: Ms Jemma Dolan MLA

Ms Emma Rogan MLA

In Attendance: Mrs Christine Darrah (Assembly Clerk)

Mrs Kathy O'Hanlon (Senior Assistant Clerk)

Mrs Clairita Frazer (Assistant Assembly Clerk)



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Mr Stephen Corr (Clerical Supervisor)

The meeting commenced at 2:10 p.m. in public session.

The Committee noted that the two oral evidence sessions on the draft budget would not be recorded by Hansard due to the volume of Plenary work.

1. Apologies

As above.

The Chairperson informed the Committee that, under Standing Order 115(6), Jemma Dolan MLA and Emma Rogan MLA had delegated authority to the Deputy Chairperson, Sinéad Ennis MLA, to vote on their behalf, and Rachel Woods MLA had delegated authority to Sinéad Bradley MLA, to vote on her behalf during any part of the meeting in which she was absent.

2. Draft Minutes

Agreed: The Committee agreed the minutes of the meeting held on 3 February 2022.



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3. Matters Arising

Item 1 – Department of Justice – Response regarding the Youth Justice Agency Draft Budget 2022-25

Item 2: Department of Justice – Response following the oral evidence session with Departmental Officials on the Draft 2022-25 Budget

The Committee noted additional information provided by the Department of Justice following the oral evidence session on the Youth Justice Agency Draft Budget on 27 January 2022 and the oral evidence session with departmental officials on the Draft 2022-25 Budget on 20 January 2022.

Item 3 – Northern Ireland Policing Board – Response Regarding the Draft 2022-25 Budget

The Committee noted a response from the Northern Ireland Policing Board outlining the implications of the Draft 2022-25 Budget for the Board and providing some initial comments on the Draft Budget implications for the Police Service of Northern Ireland (PSNI).

Sinéad Ennis MLA joined the meeting at 2:15 p.m.

Item 4 - Committee for Finance – Spring Supplementary Estimates Memoranda – 2021-22 Spending

The Committee considered correspondence from the Committee for Finance regarding the Estimates Memoranda for the 2021-22 Spring Supplementary Estimates to be provided by each Department.

Agreed: The Committee agreed to respond to the Committee for Finance confirming the Department of Justice had provided copies of the Memoranda covering the 2021-



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22 Spring Supplementary Estimates for the Department and for the NI Judicial Pension Scheme.

Item 5 - Department of Justice – Order to commence Provisions in the Damages (Return on Investment) Act

The Committee noted correspondence from the Department of Justice advising that the Minister of Justice had made an order to commence Sections 1 and 2 of, and the Schedule to, the Damages (Return on Investment) Act on 10 February 2022.

The Committee also noted a copy of the Commencement Order.

Item 6 - Minister of Justice – Correspondence regarding the NI Prison Service and Covid-19

The Committee noted correspondence from the Minister of Justice providing an update on the current situation in HM Prison Maghaberry regarding Covid-19.

Item 7 – Police Service of Northern Ireland– Correspondence on the Minister of Justice’s Amendments to the Justice (Sexual Offences and Trafficking Victims) Bill

The Committee noted correspondence from the PSNI outlining its views on and the implications for the police of the Minister of Justice’s amendments to the Justice (Sexual Offences and Trafficking Victims) Bill.

4. Department of Justice Draft Budget 2022 – 2025 - Oral evidence session with the PSNI

The following representatives joined the meeting at 2:20 p.m.

Simon Byrne, Chief Constable, PSNI

Pamela McCreedy, Chief Operating Officer, PSNI

Mark McNaughten, Assistant Chief Officer of Corporate Services, PSNI



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The Committee placed on record its appreciation of the work carried out by the officers and staff of the PSNI on a daily basis.

The Chief Constable outlined the key issues in relation to the PSNI draft 2022-25 Budget.

Doug Beattie MLA joined the meeting at 2:30 p.m.

Doug Beattie MLA left the meeting at 2:37 p.m.

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

The Chairperson thanked the Chief Constable and representatives for their attendance.

The Deputy Chairperson, Sinéad Ennis MLA indicated that an oral evidence session with the Minister of Justice on the Draft 2022-25 Budget would be useful to clarify a number of issues.

5. Department of Justice Draft Budget 2022 – 2025 - Oral evidence session with the Law Society of Northern Ireland and the Bar of Northern Ireland

Peter Weir MLA declared an interest as he is registered as a non-practising member of the Bar of Northern Ireland.

The following representatives joined the meeting at 3:30 p.m.

David Lavery, Chief Executive, Law Society of Northern Ireland

Brian Archer, Junior Vice President, Law Society of Northern Ireland

David Mulholland, Chief Executive, Bar of Northern Ireland



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Blaithin Cleland, Barrister, Bar of Northern Ireland

The Committee placed on record its appreciation of the work carried out by legal practitioners in Northern Ireland.

David Lavery and David Mulholland outlined the key issues in relation to the Department of Justice Draft 2022-25 Budget and its impact on Access to Justice.

Rachel Woods MLA left the meeting at 3:59 p.m.

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

The representatives agreed to provide additional information on one issue discussed during the session.

The Chairperson thanked the representatives for their attendance.

Agreed: The Committee agreed to explore the potential to schedule an oral evidence session with the Minister of Justice to discuss the Draft 2022-25 Budget prior to the meeting on Thursday 17 February 2022.

The Committee noted that the oral evidence session with Departmental Officials on the Results of the Consultation and Proposed Way Forward on the Reform of Rehabilitation Periods was being rescheduled to accommodate the attendance of the Minister of Justice to discuss the Committee amendments to the Justice (Sexual Offences and Trafficking Victims) Bill.

Agreed: The Committee agreed that the oral evidence session with the Minister of Justice on the Committee amendments to the Justice (Sexual Offences and Human Trafficking Victims) Bill should be reported by Hansard.



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6. Justice (Sexual Offences and Trafficking Victims) Bill – Agreed Committee Amendments – Oral evidence session with the Minister of Justice

The Minister of Justice, Mrs Naomi Long, MLA, and Mr Brian Grzymek, Deputy Director, Criminal Justice Policy and Legislation Division, Department of Justice joined the meeting at 4:46 p.m.

The Minister outlined her concerns regarding the text of the Committee amendments to Clause 1 of the Justice (Sexual Offences and Trafficking Victims) Bill and the amendment to provide for a new offence of cyberflashing, based on the inclusion of ‘a reasonable person’ test in each.

The Minister asked the Committee not to move the three amendments at Consideration Stage of the Bill on the basis that departmental officials would work with the Committee to prepare a new amendment to be brought forward at Further Consideration Stage to include a cyberflashing offence in the Bill and they would also engage further on how the issues and concerns that the Committee has in relation to Clause 1 can be addressed by an amendment at Further Consideration Stage including exploring with counterparts in other jurisdictions how ‘reckless’ is referenced in their legislation.

Agreed: The Committee agreed, on the basis outlined above, that it would not move the Committee amendments to Clause 1 of the Bill and the amendment to provide for an offence of cyberflashing at Consideration Stage of the Bill which was scheduled for Tuesday 15 February 2022.

Agreed: The Committee agreed to reschedule the oral evidence sessions planned for the meeting on Thursday 17 February to accommodate the attendance of departmental officials to discuss the potential amendments to be brought forward at Further Consideration Stage of the Justice (Sexual Offences and Trafficking Victims) Bill.



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Agreed: The Bill Clerk will attend the meeting on Thursday 17 February to provide any necessary advice.

The Chairperson advised the Committee that the Bill Clerk was available to provide advice on the handling arrangements for the Consideration Stage of the Justice (Sexual Offences and Trafficking Victims) Bill in light of the Committee's decisions.

Agreed: The Committee agreed to move into closed session in line with normal protocol when receiving advice from the Bill Clerk.

The Committee moved into closed session at 6:07 p.m.

Ms Stephanie Mallon, Assembly Bill Clerk, attended the meeting to provide advice to the Committee.

The Chairperson thanked Ms Mallon for her advice.

The Committee moved into public session at 6:21 p.m.

Agreed: The Committee agreed to defer consideration of agenda items 7, 8, 9, 10, 12 and 13 until the Committee meeting on 17 February 2022.

7. Committee Forward Work Programme – March 2022

The Committee considered a list of items of business that the Department of Justice wished it to schedule during March 2022 and two changes it wished to make to the February programme.



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Agreed: The Committee agreed to schedule the work items requested by the Department on the dates indicated in March 2022.

Agreed: The Committee agreed to consider an additional item on a proposal for a Statutory Rule to enable Access NI to disclose information about domestic abuse aggravators at the meeting on 17 February 2022.

Agreed: The Committee agreed to remove a written briefing paper on a proposed consultation on a Statutory Registration Scheme for all Legal Aid practitioners from the meeting on 24 February 2022.

The Committee noted the provisional date for the proposed visit to the PSNI Cybercrime Suite.

The Committee discussed the timing of the final Committee meeting before the dissolution of the Assembly

Agreed: The Committee agreed to hold the final Committee meeting on Tuesday 22 March 2022.

8. Any Other Business

The Committee noted that a research paper had been prepared by Assembly Research and Information Services on access to justice in rural communities some time ago.

Agreed: The Committee agreed to ask Assembly Research and Information Services to provide an updated research paper on the subject.

9. Date, Time and Place of the next meeting

The next meeting will be held on Thursday 17 February 2022 at 2:00 p.m. in Room 30, Parliament Buildings.



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The meeting was adjourned at 6:26 p.m.

Mervyn Storey MLA

Chairperson, Committee for Justice

17 February 2022