



Northern Ireland
Assembly

Committee for Justice

Minutes of Proceedings

3 February 2022

Meeting Location: Room 30, 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)

Ms Sinéad Bradley MLA

Ms Jemma Dolan MLA

Ms Rachel Woods MLA

Apologies: Mr Doug Beattie MLA

Ms Emma Rogan MLA

In Attendance: Mrs Christine Darrah (Assembly Clerk)

Mrs Clairita Frazer (Assistant Assembly Clerk)

Mr Stephen Corr (Clerical Supervisor)



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In Attendance by Video or Teleconference:

Mrs Kathy O'Hanlon (Senior Assistant Clerk)

The meeting commenced at 2:03 p.m. in public session.

The Committee noted that the three 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), Emma Rogan MLA had delegated authority to the Deputy Chairperson, Sinéad Ennis MLA, to vote on her behalf, and Robin Newton MLA and Peter Weir MLA had delegated authority to him to vote on their behalf during any absence from the meeting.

2. Draft Minutes

Agreed: The Committee agreed the minutes of the meeting held on 27 January 2022.



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3. Matters Arising

Item 1 – Correspondence from CARE NI on the Committee Amendments to Clause 16 of the Justice (Sexual Offences and Trafficking Victims) Bill

The Committee considered correspondence from CARE NI regarding the Committee amendments to Clause 16 of the Justice (Sexual Offences and Trafficking Victims) Bill to provide support for victims of trafficking and noted that its Report on the Bill which covers the current position regarding support for victims of trafficking as set out by Department of Justice officials in written and oral evidence, the Committee's discussions and deliberations on this part of the Bill, and the text of the amendments would be available to all key stakeholders who provided evidence on the Bill in the next few days and would clarify the position.

Item 2 – Criminal Justice Inspection Northern Ireland Report on Care and Supervision Units in the NI Prison Service

The Committee considered the Criminal Justice Inspection Northern Ireland (CJINI) Report into the Operation of Care and Supervision Units (CSUs) in the NI Prison Service.

The Committee noted that arrangements were being taken forward for the joint evidence session with the Committee for Health on the responses of the Department of Justice and Department of Health to the findings and recommendations of the RQIA Report of a Review of Services for Vulnerable Persons Detained in NI Prisons to take place on Thursday 24 February 2022.

Agreed: The Committee agreed to schedule oral evidence sessions with the Chief Inspector and the NI Prison Service on the CJINI Report findings and recommendations at the meeting on 17 February 2022.

Agreed: The Committee agreed to schedule an oral evidence session with representatives of the Independent Monitoring Board on its role in relation to CSUs at the meeting on 17 February 2022.



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4. Department of Justice Draft Budget 2022 – 2025 – Oral evidence session with the Probation Board for Northern Ireland

The following officials joined the meeting at 2:12 p.m.

Dale Ashford QFSM, Board Chair, Probation Board NI

Amanda Stewart, Chief Executive, Probation Board NI

Paul King, Head of Finance and Estates, Probation Board NI

The Committee placed on record its appreciation of the work carried out by the staff of the Probation Board for Northern Ireland.

The Probation Board Chair and Chief Executive outlined the role of the Probation Board and the key issues in relation to the Probation Board draft 2022-25 Budget.

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

Robin Newton MLA joined the meeting at 2:34 p.m.

Sinéad Bradley MLA left the meeting at 2:48 p.m.

Sinéad Bradley MLA re-joined the meeting at 2:53 p.m.

The officials agreed to provide additional information on several issues discussed during the session.

The Chairperson thanked the officials for their attendance.

Agreed: The Committee agreed to write to the Minister of Health regarding workforce planning in relation to the supply of social workers.



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Robin Newton MLA left the meeting at 2:56 p.m.

**5. Department of Justice Draft Budget 2022 – 2025 – Oral evidence session
with the Northern Ireland Prison Service**

The following officials joined the meeting at 2:57 p.m.

Ronnie Armour, Director General, Northern Ireland Prison Service

David Kennedy, Director of Prisons, Northern Ireland Prison Service

Steven McCourt, Acting Director of Rehabilitation, Northern Ireland Prison
Service

Brendan Giffen, Head of Strategy and Governance, Northern Ireland Prison
Service

The Committee placed on record its appreciation of the work carried out by the staff
of the NI Prison Service.

Ronnie Armour outlined the key issues in relation to the Prison Service draft 2022-25
Budget.

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

Robin Newton MLA re-joined the meeting at 3:02 p.m.

Peter Weir MLA left the meeting at 3:07 p.m.

Peter Weir re-joined the meeting at 3:16 p.m.

The Chairperson thanked the officials for their attendance.



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Agreed: The Committee agreed to request an analysis of the impact on the educational services provided by the Belfast Metropolitan College of any reduction in the funding currently provided from the NI Prison Service.

6. Department of Justice Draft Budget 2022 – 2025 – Oral evidence session with the Northern Ireland Courts and Tribunals Service

The following officials joined the meeting at 3:33 p.m.

Glyn Capper, Acting Director, NI Courts and Tribunals Service

Mark Goodfellow, Chief Operating Officer, NI Courts and Tribunals Service

Louise Laverty, Head of Finance, NI Courts and Tribunals Service

The Committee placed on record its appreciation of the work carried out by the staff of the Northern Ireland Courts and Tribunals Service (NICTS).

Glyn Capper outlined the key issues in relation to the NICTS draft 2022-25 Budget.

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

The officials agreed to provide additional information on a number of issues discussed during the session.

The Chairperson thanked the officials for their attendance.

Peter Weir MLA left the meeting at 3:58 p.m.

Sinéad Bradley MLA left the meeting at 3:59 p.m.

Agreed: The Committee agreed to request a written briefing paper from the Legal Services Agency on the key issues and implications of the Agency draft 2022-25 budget.



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7. Department of Justice Draft Budget 2022 – 2025 – Non Departmental Public Bodies

The Committee noted updated information received from the Police Ombudsman's Office, the Criminal Justice Inspection Northern Ireland, the Police Rehabilitation and Retraining Trust and the RUC George Cross Foundation on the implications of the draft budget 2022-25 for their organisations.

The Chairperson indicated his concern regarding the implications outlined in the information provided by the RUC George Cross Foundation regarding maintenance of the memorial garden.

8. LCM: Extension to Northern Ireland of the Provisions in Chapter 3 of Part 2 of the Police, Crime, Sentencing and Courts Bill (Extraction of Information from Electronic Devices)

The Committee considered information provided by the Department of Justice on a Legislative Consent Motion in relation to the provision in the Police, Crime, Sentencing and Courts Bill regarding the extraction of data from mobile devices.

Agreed: The Committee agreed that it was content in principle with the proposal to extend to Northern Ireland the provisions in Chapter 3 of Part 2 of the Police Crime, Sentencing and Courts Bill, in so far as they relate to Northern Ireland, and that the commencement of those provisions would be conditional on Assembly agreement to consider whether the Code of Practice, following the public consultation, complies with protected rights and requirements.

9. SL1 - The Domestic Abuse Information-sharing with Schools etc. Regulations (Northern Ireland) 2022

The Committee considered a proposal by the Department of Justice for a Statutory Rule, which is subject to the draft affirmative resolution procedure, under powers conferred by Section 26 of the Domestic Abuse and Civil Proceedings Act (Northern



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Ireland) 2021 to enable the Department to bring forward regulations to provide for an Operation Encompass model for Northern Ireland.

Agreed: The Committee agreed to seek the views and comments of the Committee for Education, the Committee for the Economy and the Committee for Agriculture, Environment and Rural Affairs on the proposal for the Statutory Rule given its relevance to the remits of those Departments.

Agreed: The Committee agreed to ask the Department of Justice for a more detailed report on the responses to the targeted consultation carried out on the Regulations to assist consideration of the proposed Statutory Rule and information on what changes are required to legislative provision to cover children attending Special Schools up to the age of 19 years old.

Sinéad Bradley MLA re-joined the meeting at 4:09 p.m.

10.SL1: The County Court (Amendment No.2) Rules (Northern Ireland) 2022

11.SL1 - The Magistrates' Courts (Licensing) (Amendment) Rules (Northern Ireland) 2022

The Committee considered proposals by the Department of Justice for two Statutory Rules, which are subject to the negative resolution procedure, under Article 47 of the County Courts (Northern Ireland) Order 1980 and Article 13 of the Magistrates' Courts (Northern Ireland) Order 1981. The proposed Rules will amend the County Court Rules 1981, the Magistrates' Courts (Licensing) Rules (Northern Ireland) 1997 and the Magistrates' Courts (Registration of Clubs) Rules (Northern Ireland) 1997 as a consequence of amendments to the Licensing (Northern Ireland) Order 1996 and the Registration of Clubs (Northern Ireland) Order 1996 made by the Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021. The Rules prescribe the forms to be used and information to be provided with an application.

Agreed: The Committee agreed to request information from the Department of Justice on a number of issues relating to the procedural issue in respect of Section 11 of the Licensing and Registration of Clubs (Amendment) Act (NI) 2021.



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12.SL1 - The Magistrates' Courts (Registration of Clubs) (Amendment) Rules (Northern Ireland) 2022

The Committee considered a proposal by the Department of Justice for a Statutory Rule, which is subject to the negative resolution procedure, under Article 13 of the Magistrates' Courts (Northern Ireland) Order 1981. The proposed Rule will amend the Magistrates' Courts (Registration of Clubs) Rules (Northern Ireland) 1997 which prescribe the forms to be used in connection with applications to a Magistrates' Court under the Registration of Clubs (Northern Ireland) Order 1996 and the information to be provided with the application, required as a result of the Licensing and Registration of Clubs (Amendment) Act (NI) 2021 in relation to the removal of the requirement that a registered club must hold a children's certificate (conditions remain) to allow young people under 18 years of age in the bar.

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

13.SL1: Transfer of Functions (Appeals Service)

The Committee considered correspondence from the Committee for the Executive Office regarding a proposal for a Statutory Rule for the Transfer of Functions Order to give effect to the proposed transfer of the Appeals Service and Rent Assessment Panel from the Department for Communities to the Department of Justice.

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

14. The Market Surveillance (Northern Ireland) (Consequential Amendment etc.) Regulations 2022

The Committee noted information provided by the Department of Justice on the position in relation to the Market Surveillance (Northern Ireland) (Consequential Amendment etc.) Regulations 2022 to be laid by the Department of Business,



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Energy & Industrial Strategy to make a number of consequential amendments to the Market Surveillance (Northern Ireland) Regulations 2021.

15. Court Rules in relation to the Domestic Abuse and Civil Proceedings Act (Northern Ireland) 2021 – Update

The Committee noted information provided by the Department of Justice indicating that, following consideration of issues raised by the Lady Chief Justice's Office and further advice from the Departmental Solicitors' Office, it would not now be progressing a proposal for a Statutory Rule to make amendments to the Crown Court and Magistrates' Court Rules relating to the new domestic abuse offence or any other offence aggravated by domestic abuse created in the Domestic Abuse and Civil Proceedings Act (Northern Ireland) 2021 in relation to when and how a connection notice may be served by the prosecutor.

16. Department of Justice 2021-22 Spring Supplementary Estimates – Memoranda

The Committee noted Memoranda provided by the Department of Justice covering the 2021-22 Spring Supplementary Estimates for the Department and for the Northern Ireland Judicial Pension Scheme.

17. Problem Solving Justice – Update

The Committee considered information provided by the Department Justice on progress to deliver each of the initiatives contained in the 5 Year Problem Solving Justice Strategic Plan.

Agreed: The Committee agreed to request further information from the Department of Justice on a number of the initiatives.



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18. Court Approval of Minor Settlements – Summary of Consultation Responses

The Committee considered information provided by the Department of Justice on the results of the consultation on whether, and if so how, it ought to legislate to require court approval of compensation settlements to children for personal injury minor settlements in cases in which legal proceedings have not been issued including a summary of the responses.

Agreed: The Committee agreed to ask the Department of Justice whether it will undertake preparatory work in relation to this matter before the next mandate given the high level of support for change.

19. Correspondence

The Committee noted the following:

- i. A response from the Department of Justice providing information on what provisions in the Coronavirus Act 2020 that fall within the Department's remit that will end in March 2022 may need to be extended.
- ii. A memo from the Committee for Education referring correspondence regarding a proposal to introduce a bespoke version of a Prevent Strategy to Northern Ireland to assist with the reduction of hate crime.
- iii. A memo from the Committee for Education supporting the Domestic and Sexual Abuse Strategy and the Equally Safe Strategy: A Strategy to tackle Violence Against Women and Girls and advising that it had written to the Minister of Education regarding the provision of relationship and sexuality education and a Review of the Minimum Content Order.



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- iv. The University College London Constitution Unit First Report of the Democracy in the UK after Brexit Project on 'What Kind of Democracy Do People Want?' – Results of a Survey of the UK Population.
- v. The Investment Strategy for Northern Ireland - Department of Justice Procurement Activity Report for January 2022.

20. Chairperson's Business

None.

21. Any Other Business

The Chairperson advised the Committee that the Damages (Return on Investment) Bill had received Royal Assent and became law on 2 February 2022.

22. Date, Time and Place of the next meeting

The next meeting will be held on Thursday 10 February 2022 at 2:00 p.m. in the Senate Chamber, Parliament Buildings.

The meeting was adjourned at 4:25 p.m.

Mervyn Storey MLA

Chairperson, Committee for Justice

10 February 2022