



**Northern Ireland
Assembly**

COMMITTEE FOR JUSTICE

MINUTES OF PROCEEDINGS

THURSDAY 14 MAY 2020

Senate Chamber, Parliament Buildings, Belfast

Present: Mr Paul Givan MLA (Chairperson)
Ms Linda Dillon MLA (Deputy Chairperson)
Mr Doug Beattie MLA
Ms Jemma Dolan MLA
Mr Gordon Dunne MLA
Mr Paul Frew MLA
Ms Rachel Woods MLA

Apologies: Mr Patsy McGlone MLA
Ms Emma Rogan MLA

In Attendance: Mrs Christine Darrah (Assembly Clerk)
Mrs Kathy O'Hanlon (Senior Assistant Assembly Clerk)
Mr Peter Madine (Assistant Assembly Clerk)
Miss Leanne Johnston (Clerical Supervisor)

The Committee agreed to commence the meeting in closed session to consider Item 1 under Matters Arising.

The meeting commenced at 11.06 a.m. in closed session.

Matters Arising – Item 1

A Letter from the Minister of Justice raising issues following the debate on the 2020-21 Budget

The Committee discussed a letter from the Minister for Justice raising issues following the debate on the 2020-21 budget.

Agreed: The Committee agreed that a draft response from the Committee to the Minister of Justice covering the issues discussed should be prepared.

The meeting moved into public session at 11.34 a.m.

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), Ms Rogan had delegated authority to the Deputy Chairperson, Ms Dillon, to vote on her behalf.

The Chairperson, on behalf of the Committee, unreservedly condemned the recent threats to a number of MLAs, including Members of the Committee for Justice, and journalists.

The Committee agreed to take item 4 on the agenda – the oral evidence session with the Attorney General for Northern Ireland - as the next item of business.

2. Legal Issues relating to the Covid-19 Regulations

The Attorney General for Northern Ireland, Mr John Larkin QC, joined the meeting at 11.38 a.m.

The Attorney General provided an overview of the legal issues relating to the Covid-19 Regulations.

The briefing was followed by a structured question and answer session covering a number of areas.

The Attorney General agreed to consider and provide advice on the human rights aspects of one issue.

The oral evidence session was reported by Hansard.

The Chairperson thanked the Attorney General for his attendance.

3. Draft Minutes

Agreed: The Committee agreed the minutes of the meeting held on Thursday 30 April 2020.

Mr Dunne left the meeting at 12.57 p.m.

4. Matters Arising

[A Letter from the Minister of Justice raising issues following the debate on the 2020-21 Budget](#)

The Chairperson advised Members that a draft response covering the issues discussed earlier in the meeting would be circulated to Members for agreement and then sent to the Minister of Justice.

A response from the Minister of Justice on Supervised Access Arrangements

The Committee noted the response from the Minister of Justice outlining the actions that had been taken to bring the guidance on Supervised Access Arrangements to the attention of parents and individuals.

An update on the Counter Terrorism (Sentencing and Release) Bill

The Committee considered further information from the Department of Justice on the current position in relation to the Counter-Terrorism (Sentencing and Release) Bill and the proposed approach by the UK Government to apply retrospectively the provisions within the Terrorist Offenders (Restriction on Early Release) Act 2020 to remove the automatic right to early release within Northern Ireland.

Agreed: The Committee agreed to ask the Department of Justice for a copy of the letter from the Lord Chancellor and Secretary of State for Justice setting out the background to and rationale behind the UK Government's change of approach to assist consideration of this matter.

The Debate on the LCM on the Private International Law (Implementation of Agreements) Bill

The Committee noted that the debate on the Legislative Consent Motion on the Private International Law (Implementation of Agreements) Bill was scheduled to take place on Tuesday 19 May.

5. Domestic Abuse and Family Proceedings Bill – Motion to Extend the Committee Stage

The Committee considered a motion to extend the Committee Stage of the Domestic Abuse and Family Proceedings Bill to 15 October 2020.

Question put and agreed:

“That, in accordance with Standing Order 33(4), the period referred to in Standing Order 33(2) be extended to 15 October 2020, in relation to the Committee Stage of the Domestic Abuse and Family Proceedings Bill (NIA 03/17-22).”

The Chairperson advised the Committee that he would request that the debate on the motion be scheduled on 1 or 2 June 2020.

6. Legislative Consent Motion - Sentencing (Pre-Consolidation Amendments) Bill – Draft Committee Report

The Committee considered a draft report on the Legislative Consent Memorandum on the provisions in the Sentencing (Pre-Consolidation Amendments) Bill to be extended to Northern Ireland and the Legislative Consent Motion to be brought forward by the Minister of Justice.

Title Page, Table of Contents Page and Committee Membership and Powers Page

The Committee considered the Title Page, Table of Contents Page and Committee Membership and Powers Page as drafted.

Agreed: The Committee agreed that it was content with the Title Page, Table of Contents Page and Committee Membership and Powers Page of the report.

Background

The Committee considered the Background section of the report (paragraphs 1 to 4) as drafted.

Agreed: The Committee agreed that it was content with the Background section of the report.

Purpose of the Legislative Consent Motion

The Committee considered the section of the report that outlined the Purpose of the Legislative Consent Motion (paragraph 5) as drafted.

Agreed: The Committee agreed that it was content with the Purpose of the Legislative Consent Motion section of the report.

Committee Consideration of the Legislative Consent Motion

The Committee considered the section of the report that detailed the Committee Consideration of the Legislative Consent Motion (paragraphs 6 to 9) as drafted.

Agreed: The Committee agreed that it was content with the Committee Consideration of the Legislative Consent Motion section of the report.

Conclusion

The Committee considered the Conclusion Section of the report as drafted (paragraph 10).

Agreed: The Committee agreed that it was content with the Conclusion Section of the report.

Appendices

The Committee considered the Appendices section of the report.

- Agreed:* The Committee agreed that it was content that the Appendices be included in the report.
- Agreed:* The Committee agreed that it was content for the Chairman to approve the Minutes of Proceedings of this meeting for inclusion in the report. They would then be replaced by the final version of the Minutes of Proceedings once agreed by the Committee at the next meeting.
- Agreed:* The Committee agreed that it was content for the Report on the Sentencing (Pre-Consolidation Amendments) Bill Legislative Consent Motion to be published and issued to all MLAs.

7. Legislative Consent Motion – The Birmingham Commonwealth Games Bill

The Committee considered information provided by the Department of Justice on a proposal for a Legislative Consent Motion to extend the provisions relating to the unauthorised sale or resale of tickets and the associated penalties in the Birmingham Commonwealth Games Bill to Northern Ireland.

Mr Dunne rejoined the meeting at 1.05 p.m.

- Agreed:* The Committee agreed that it was content with the Department of Justice’s proposal to extend the provisions in the Birmingham Commonwealth Games Bill creating an offence to prohibit the unauthorised sale or resale of tickets and the associated penalties to Northern Ireland by way of a Legislative Consent Motion.

8. Legislative Consent Motion - Air Traffic Management and Unmanned Aircraft Bill

The Committee considered information from the Department of Justice on a proposal for a Legislative Consent Motion to extend the provisions in the Air Traffic Management and Unmanned Aircraft Bill to allow senior Prison Service staff and Youth Justice officials to authorise counter-drone measures in relation to the unlawful use of drones near custodial settings to Northern Ireland.

- Agreed:* The Committee agreed that it was content with the Department of Justice’s proposal to extend the provisions in the Air Traffic Management and Unmanned Aircraft Bill relating to the unlawful use of drones near custodial settings to Northern Ireland by way of a Legislative Consent Motion.

9. SR 2020/65: The Police Trainee (Amendment) (Coronavirus) Regulations (Northern Ireland) 2020

The Committee considered SR 2020/65: The Police Trainee (Amendment) (Coronavirus) Regulations (Northern Ireland) 2020 which amends the Police Training Regulations (Northern Ireland) 2001 (as amended in 2003) to provide the Chief Constable greater flexibility regarding the attestation and deployment of police trainees to meet a potential resourcing demand during the Covid-19 pandemic.

Agreed: The Committee considered SR 2020/65: The Police Trainee (Amendment) (Coronavirus) Regulations (Northern Ireland) 2020 and had no objection to the rule.

10. Proposed Legislative Amendment to the Northern Ireland Criminal Injuries Compensation Scheme 2009 to Remove the Same Household Rule

The Committee considered information provided by the Department of Justice on a proposal to amend the same household rule within the Northern Ireland Criminal Injuries Compensation Scheme 2009 to allow victims of a crime between 1 March 1969 and 30 June 1988 living as a member of the same household as their assailant to apply for Criminal Injuries Compensation.

Agreed: The Committee agreed that it was content with the proposed legislative amendment to the Criminal Injuries Compensation Scheme 2009 to Remove the Same Household Rule.

11. Results of the Consultation and Final Covid-19 Interim Payment Scheme for Legal Aid Suppliers

The Committee noted the information provided by the Department of Justice on the results of the targeted consultation and the final Covid-19 Interim Payment Scheme for Legal Aid Suppliers.

12. Committee Forward Work Programme

The Committee noted a Forward Work Programme for May and June 2020 which included scheduled time for oral evidence sessions on the Domestic Abuse and Family Proceedings Bill.

The Committee considered a list of further work items provided by the Department of Justice that the Minister and officials considered to be pressing/urgent and on which they would like progress to be made ahead of summer recess.

Agreed: The Committee agreed to request clarification of the criteria the Department is using to assess what is urgent and essential business before considering scheduling the items and a list of the items of business that the Department is currently holding back until normal committee business resumes.

13. Correspondence

- i. The Committee considered correspondence from an individual regarding the role, authority and legal backing of the new Mental Health Champion and their role in relation to the new Mental Health Strategy.

Agreed: The Committee agreed to request a copy of the response from the Minister of Justice to the individual to assist further consideration of the matter.

The Committee noted the following:

- ii. A copy of a response from the Department of Justice to We Are Hourglass providing advice and guidance during the Covid-19 situation.
- iii. A memo from the Committee for Finance providing a copy of a response from the Minister of Finance on behalf of the Executive on the Functioning of Government (Miscellaneous Provisions) Bill.
- iv. A response from the Police Service of Northern Ireland providing further information following the oral evidence session with the Chief Constable on 13 February 2020.
- v. A Centre for Justice Innovation briefing document on information collated on how justice systems around the world have responded to Covid-19.

14. Chairperson's Business

None.

15. Any Other Business

None.

16. Date, time and place of next meeting

The next meeting will be held on Thursday 28 May 2020 unless essential business requires an earlier meeting.

The meeting was adjourned at 1.17 p.m.

Paul Givan MLA
Chairperson, Committee for Justice