



**Northern Ireland
Assembly**

COMMITTEE FOR JUSTICE

MINUTES OF PROCEEDINGS

THURSDAY 28 MAY 2020

Room 30, Parliament Buildings, Belfast

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

* These Members attended the meeting via telephone conferencing

Apologies: Mr Doug Beattie MLA
Ms Emma Rogan MLA

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

The meeting commenced at 10.38 a.m. in public session.

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

1. Apologies

As above.

The Chairperson welcomed Ms Sinead Bradley to the Committee for Justice and advised Members that a copy of her entry in the Register of Members' Interests had been provided for information.

The Chairperson placed on record the Committee's thanks and appreciation to Mr Patsy McGlone MLA for his contribution to the work of the Committee.

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.

2. Draft Minutes

Agreed: The Committee agreed the minutes of the meeting held on Thursday 14 May 2020.

3. Matters Arising

Legislative Consent Motion for the Birmingham Commonwealth Games Bill

The Committee noted further information provided by the Department of Justice regarding the enforcement arrangements for the new offence in the Birmingham Commonwealth Games Bill which prohibits the unauthorised sale or resale of Games tickets and the arrangements for the legitimate reselling of tickets.

Agreed: The Committee agreed that it was content with the proposal to extend a number of provisions within the Birmingham Commonwealth Games Bill relating to the creation of a new offence which prohibits the unauthorised sale or resale of Games tickets to Northern Ireland by way of a Legislative Consent Motion.

Department of Justice Budget and Finance Oral Evidence Session on 4 June 2020

The Committee noted an update from the Department of Justice regarding the information to be provided on the Department's finance and budget position prior to the oral evidence session scheduled for 4 June 2020 and the timetable for the June Monitoring Round.

The Debate on the LCM on the Sentencing (Pre-Consolidation Amendments) Bill

The Committee noted that the debate on the Legislative Consent Motion on the Sentencing (Pre-Consolidation Amendments) Bill was scheduled to take place on Tuesday 2 June.

4. Covid-19 Response – Police Service of Northern Ireland

The following official joined the meeting at 10.38 a.m.:

Assistance Chief Constable Alan Todd, District Policing and Coronavirus Planning,
Police Service of Northern Ireland

The Assistant Chief Constable provided an update on the Covid-19 response and current situation in relation to the Police Service of Northern Ireland.

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

Assistant Chief Constable Todd agreed to provide further information on several issues.

The oral evidence session was reported by Hansard.

The Chairperson thanked the Assistant Chief Constable for his attendance and placed on record the continued appreciation of the Committee for the work being carried out by PSNI staff in the current circumstances.

5. Covid-19 Response – Northern Ireland Prison Service

The following official joined the meeting at 11.46 a.m.:

Ronnie Armour, Director General, Northern Ireland Prison Service and Head of Reducing Offending Directorate, Department of Justice

Mr Armour provided an update on the Covid-19 response and the current situation in relation to the Northern Ireland Prison Service.

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

The oral evidence session was reported by Hansard.

The Chairperson thanked Mr Armour for his attendance and placed on record the continued appreciation of the Committee for the work being carried out by Prison Service staff in the current circumstances.

6. Covid-19 Response – Northern Ireland Courts and Tribunals Service

The following official joined the meeting at 12.25 p.m.:

Peter Luney, Chief Executive, Northern Ireland Courts and Tribunals Service

Mr Luney provided an update on the Covid-19 response and the current situation in relation to the NI Courts and Tribunals Service.

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

The oral evidence session was reported by Hansard.

The Chairperson thanked Mr Luney for his attendance and put on record the appreciation of the Committee for the work being carried out by the Northern Ireland Courts and Tribunal Service staff in the current circumstances.

The meeting was suspended at 12.53 p.m.

The meeting recommenced at 1.03 p.m.

Present: Mr Paul Givan MLA (Chairperson)
 Ms Linda Dillon MLA (Deputy Chairperson)
 Ms Sinead Bradley MLA*
 Mr Gordon Dunne MLA
 Mr Paul Frew MLA*
 Ms Rachel Woods MLA

* These Members attended the meeting via telephone conferencing.

7. Criminal Finances Act 2017 – Proposals to commence the Devolved Provisions relating to Northern Ireland

The following officials joined the meeting at 1.03 p.m.:

Cathy Galway, Deputy Director, Protection and Organised Crime Division,
Department of Justice

Andrea Watson, Acting Head of Organised Crime Branch, Department of Justice

Patrick Crothers, Senior Lawyer, Legal, National Crime Agency by teleconferencing

Detective Chief Superintendent Darren Evans, Police Service of Northern Ireland by teleconferencing

The officials provided an overview of the Criminal Finances Act 2017 provisions relating to Northern Ireland that it was proposed should be commenced.

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

The officials agreed to provide further information on several issues.

The oral evidence session was reported by Hansard.

Mr Dunne left the meeting at 2.09 p.m.

The Chairperson thanked the officials for their attendance.

The Committee discussed the proposal to commence the devolved provisions in the Criminal Finances Act 2017 relating to Northern Ireland and what mechanism is in place for the Committee to submit its views directly to the Home Office and to establish the consent of the Assembly in this situation.

Agreed: The Committee agreed to request the views of the Northern Ireland Policing Board on the proposal to commence the relevant provisions of the Criminal Finances Act 2017.

Agreed: The Committee agreed to request a range of additional information from the Department of Justice on the provisions and any views or comments it had received on the proposed commencement from Executive Ministers.

Agreed: The Committee agreed to write to the First Minister and deputy First Minister regarding what mechanism is or can be put in place to establish the consent of the Assembly regarding provisions in Acts relating to devolved matters where, if the legislation had not already completed its passage through Westminster, a Legislative Consent Motion would be required.

8. Domestic Abuse and Family Proceedings Bill – Initial Proposals for Oral Evidence

The Committee considered proposals for oral evidence sessions on the Domestic Abuse and Family Proceedings Bill for the meeting on 11 June and a request for an extension to the deadline for written evidence.

Agreed: The Committee agreed that Woman's Aid Federation and the Men's Advisory Project should be invited to give evidence on the Bill at the meeting on 11 June.

Agreed: The Committee agreed a short extension to the timescale for receipt of the written submission.

Mr Dunne rejoined the meeting at 2.13 p.m.

The Committee noted further information from the Department of Justice on the issues raised during the oral evidence session on the Bill at the meeting on 2 April 2020 and during the Second Stage Debate on 28 April 2020.

Agreed: The Committee agreed to ask the Department of Justice to add three organisations to the stakeholder list it uses for consultations on domestic abuse and sexual violence policy and procedures.

9. Legislative Consent Motion – Birmingham Commonwealth Games Bill – Draft Committee Report

The Committee considered a draft report on the Legislative Consent Memorandum on the provisions in the Birmingham Commonwealth Games Bill to be extended to Northern Ireland and the Legislative Consent Motion to be brought forward by the Minister of Justice.

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

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

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

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 purpose of the Legislative Consent Motion section of the report (paragraphs 5 and 6) 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 Committee Consideration of the Legislative Consent Motion section of the report (paragraphs 7 to 15) 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 16).

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 Birmingham Commonwealth Games Bill Legislative Consent Motion to be published and issued to all MLAs.

10. Legislative Consent Motion – Air Traffic Management and Unmanned Aircraft Bill

The Committee considered information provided by the Department of Justice on a proposal for a Legislative Consent Motion to extend provisions relating to the unlawful use of drones near custodial institutions in the Air Traffic Management and Unmanned Aircraft Bill to Northern Ireland by way of a Legislative Consent Motion.

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 interference with unmanned aircraft (drones) over places of detention to Northern Ireland by way of a Legislative Consent Motion.

11. The Attorney General for Northern Ireland's Draft Human Rights Guidance for the Public Prosecution Service and the Police Service of Northern Ireland on the Application of Section 5 of the Criminal Law Act (Northern Ireland) 1967 to Victims of Serious Sexual Offences and those to whom they make disclosure.

The Committee considered the Attorney General for Northern Ireland's Draft Human Rights Guidance for the Public Prosecution Service and the Police Service of Northern Ireland to assist consideration of investigations into or prosecutions for the offence of failing to report a serious sexual offence under Section 5 of the Criminal Law Act (Northern Ireland) 1967.

Agreed: The Committee agreed to request a copy of the views/comments submitted by the Public Prosecution Service and the Police Service of Northern Ireland on the draft guidance.

Agreed: The Committee agreed to request information on what interface the guidance will have with the Department for Communities in relation to social security applications.

12. The Functioning of Government (Miscellaneous Provisions) Bill – Consideration of Clauses 9 and 11

Mr Frew declared an interest as a Member of the Committee for Finance which is undertaking the Committee Stage of the Bill.

The Committee considered a range of information from the Committee for Finance, the Department of Justice and the Bill Sponsor, Mr Allister MLA, on the justice related provisions in the Functioning of Government (Miscellaneous Provisions) Bill.

Agreed: The Committee agreed a response to the Committee for Finance in relation to clauses 9 and 11 of the Functioning of Government (Miscellaneous Provisions) Bill.

Agreed: The Committee agreed to send a copy of the response to the Department of Justice and to Mr Allister MLA for information.

13. The Crime (Overseas Production Orders) Act 2019 – Commencement of the Devolved Provisions relating to Northern Ireland

The Committee considered information from the Minister of Justice regarding her intention to ask the Home Secretary to commence the devolved provisions in the Crime (Overseas Production Orders) Act 2019 in Northern Ireland and noted that this was a similar situation to that relating to the commencement of the provisions in the Criminal Finances Act 2017 discussed earlier in the meeting.

Agreed: The Committee agreed to request the views of the Northern Ireland Policing Board on the proposal to commence the relevant provisions of the Crime (Overseas Production Orders) Act 2017.

Agreed: The Committee agreed to request a range of additional information from the Department of Justice on the provisions in the COPO Act and any views or comments it has received on the proposed commencement from Executive Ministers.

Agreed: The Committee agreed to cover the mechanism for Assembly scrutiny and consent in relation to the commencement of the devolved provisions in this Act in the letter to the First Minister and deputy First Minister regarding the Criminal Finances Act 2017.

14. In-Year Monitoring – June 2020 Monitoring Round

The Committee considered information provided by the NI Assembly Research and Information Service (RaISe) to assist scrutiny of the in-year monitoring rounds.

Agreed: The Committee agreed to request a copy of the completed in-year monitoring round forms for the June 2020 Monitoring Round submitted to the Department of Finance and a range of other information from the Department of Justice.

Agreed: The Committee agreed to send a copy of the information received from the Department of Justice to the Committee for Finance and to RaISe.

15. Correspondence

The Committee noted the following:

- i. A response from the Department of Justice regarding the removal of three police stations from the list of prescribed police stations under the Sexual Offences Act 2003 (Prescribed Police Stations) Regulations (Northern Ireland) 2020.
- ii. A memo from the Committee for Finance providing a copy of the views of the Department of Finance on the Legislative Consent Motion on the Private International Law (Implementation of Agreements) Bill.
- iii. Correspondence from the Committee for Communities providing a copy of a written submission from Solace NI on Covid-19 and its financial impact on local government and its letter to the Minister of Justice encouraging the development of a cross-departmental strategic approach to support councils.
- iv. A copy of further correspondence between an individual and the Department of Health in relation to the Mental Health Champion and the Mental Health Strategy.
- v. A response from the Chairpersons' Liaison Group advising that it would consider how Members non- attendance at committee meetings to assist compliance with social distancing requirements given the limited space in committee meeting rooms is recorded, as requested by the Committee, at a future meeting.
- vi. A copy of the Criminal Justice Inspection Northern Ireland 2020-2023 Corporate Plan and Business Plan and Inspection Programme for 2020-21.

16. Chairperson's Business

None.

17. Any Other Business

None.

18. Date, time and place of next meeting

The next meeting will take place on Thursday 4 June 2020 in Parliament Buildings.

The meeting was adjourned at 2.38 p.m.