



**Northern Ireland
Assembly**

COMMITTEE FOR JUSTICE

MINUTES OF PROCEEDINGS

THURSDAY 14 JANUARY 2021

Room 30, Parliament Buildings, Belfast

Present: Mr Paul Givan MLA (Chairperson)
Ms Linda Dillon MLA (Deputy Chairperson)*
Mr Doug Beattie MLA*
Ms Sinéad Bradley MLA*
Ms Jemma Dolan MLA*
Mr Paul Frew MLA
Ms Emma Rogan MLA*
Ms Rachel Woods MLA

* These Members attended the meeting via video conferencing.

Apologies: Mr Gordon Dunne MLA

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

The meeting commenced at 2.03 p.m. in public session.

Agreed: The Committee agreed that the oral evidence sessions 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, and Jemma Dolan MLA and Emma Rogan MLA had delegated authority to the Deputy Chairperson, Linda Dillon MLA to vote on their behalf should they encounter connectivity problems with the video conferencing system.

2. Draft Minutes

Agreed: The Committee agreed the minutes of the meeting held on 17 December 2020.

3. Matters Arising

Item 1 – Letter from the Minister of Finance on the Draft Budget 2021-22

The Committee noted a copy of correspondence from the Minister of Finance to the Committee for Finance dated 22 December 2020 providing an update on the position regarding the Draft Budget 2021-22.

Item 2 - Letter from the Minister of Justice regarding Covid-19 in the Northern Ireland Prison Service

The Committee noted correspondence from the Minister of Justice dated 9 January 2021 providing an update on Covid-19 in prisons in Northern Ireland.

Item 3 – Letter from the Minister of Justice regarding the Commencement of Provisions in the Coronavirus Act 2020 relating to mental health

The Committee noted correspondence from the Minister of Justice advising that it is necessary for the mental health provisions in the Coronavirus Act 2020 to be ‘switched on’ again as soon as possible given the pressures currently being experienced by the Health Trusts and that commencement of both the health and justice related provisions will be taken forward by the Department of Health.

4. Protection of the Police and Public, Courts and Sentencing Bill – Proposed Legislative Consent Motion

The following officials joined the meeting at 2.06 p.m.:

Maura Campbell, Deputy Director, Policing Policy and Strategy Division, Department of Justice

Brian Grzymek, Deputy Director, Criminal Justice Policy and Legislation Division, Department of Justice

Sharan Dustagheer, Head of Strategic Policing Policy and Sponsorship, Department of Justice

William Dukelow, Head of Police Powers and Human Resources Branch, Department of Justice.

The officials outlined the key issues in relation to a proposed Legislative Consent Motion for the Protection of the Police and Public, Courts and Sentencing Bill.

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.

Agreed: The Committee agreed to note the information provided by the Department and to consider the matter further when the Protection of the Police and Public, Courts and Sentencing Bill is available and the Executive has reached a position on the proposal to extend certain provisions in the Bill to Northern Ireland by way of a Legislative Consent Motion.

5. SL1: PSNI and PSNI Reserve (Injury Benefit) (Amendment) Regulations 2020

The following officials joined the meeting at 2.36 p.m.:

Maura Campbell, Deputy Director, Policing Policy and Strategy Division, Department of Justice

William Dukelow, Head of Police Powers and Human Resources Branch, Department of Justice

Antonia Hoskins, Policing Powers and Human Resources Branch, Department of Justice.

The officials outlined the key issues in relation to the proposal for the Statutory Rule.

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

The officials agreed to provide further information on a range of issues discussed during the session.

The oral evidence session was reported by Hansard.

The Chairperson thanked the officials for their attendance.

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

6. Criminal Justice (Committal Reform) Bill

The Committee noted further information provided by the Department of Justice including a list of all offences that are triable only on indictment and details of all the repeal provisions included in the Bill following the oral evidence session on 5 November 2020.

The Committee considered a Delegated Powers Memorandum relating to the Criminal Justice (Committal Reform) Bill provided by the Department of Justice.

Agreed: The Committee agreed to forward a copy of the Delegated Powers Memorandum to the Assembly Examiner of Statutory Rules for her views/comments.

7. SL1: Rule Change to Allow Online Applications in Non-Contentious Probate Cases

The Committee considered a proposal by the Department of Justice to make a Statutory Rule to amend Order 97 of the Rules of the Court of Judicature to enable applications in non-contentious probate cases to be made online and for the sworn affidavit to be replaced with a statement of truth along with changes to the marking of exhibits.

Agreed: The Committee agreed to request further information from the Department of Justice on a range of issues to assist its consideration of the proposal for the Statutory Rule.

8. Proposals for New Legal Framework for Setting the Personal Injury Discount Rate and Review of the Current Rate

The Committee noted further information from the Department of Justice on the proposals for a new legal framework for setting the Personal Injury Discount Rate following the oral evidence session with Department of Justice officials on 3 December 2020 and a response from the Minister of Finance regarding access to the Reserve should the proposals result in a budget pressure.

Agreed: The Committee agreed to consider the issue further when a response from the Department to the Committee's letter dated 18 December 2020 requesting an update on the position on setting an interim rate is available.

9. Correspondence

- i. The Committee considered a response from the Minister of Justice to the issues raised by the Women's Aid Federation regarding the proposals for a Domestic and Sexual Violence Advocacy Service.

Agreed: The Committee agreed to forward a copy of the response to the Women's Aid Federation for further views/comments.

- ii. The Committee considered correspondence from the Department of Justice providing the action plan and an update on progress to address the findings and recommendations of the Criminal Justice Inspection Northern Ireland (CJINI) Report on Child Sexual Exploitation in Northern Ireland.

Agreed: The Committee agreed to schedule oral evidence sessions with Criminal Justice Inspectors and relevant officials on the findings and recommendations of the Report and the action plan.

- iii. The Committee considered a response from the Lord Chief Justice regarding a data breach by the Coroners Service NI in relation to an inquest into the death of Neil McConville resulting in the identification of police officers.

Agreed: The Committee agreed to forward a copy of the response to the Chairman of the Northern Ireland Retired Police Officers Association who raised the issue with the Committee and to consider the issue further upon receipt of a response from the Minister of Justice.

- iv. The Committee considered correspondence from the Ulster University Law Clinic providing results of a recent survey on the Impact of Covid-19 on Family Courts in Northern Ireland.

Agreed: The Committee agreed to forward the results of the survey to the Northern Ireland Courts and Tribunals Service for a response on the findings and issues raised.

The Committee noted the following:

- v. A letter from the Minister of Justice advising of her intention to deliver an oral statement to the Covid-19 Ad Hoc Committee on 6 January 2021.
- vi. A response from the Department of Justice advising that the terms of reference for the Review of the Operation of Care and Supervision Units in the Northern Ireland Prison Service should be finalised by the Criminal Justice Inspection Northern Ireland in early January.
- vii. A response from the Department of Justice providing further information on the Tackling Paramilitary Activity, Criminality and Organised Crime Programme following the oral evidence session on 26 November 2020.
- viii. A response from the Department of Justice regarding engagement with the Committee on the Health Protection Regulations and offences and penalties.
- ix. A response from the Minister of Education providing information on the role of the Department of Education and other education bodies in advising and educating young people on the criminal law in relation to sexual offences.
- x. A copy of correspondence from the Committee for the Economy to the First Minister and deputy First Minister highlighting the potential economic impact of Covid-19 support schemes coming to an end and seeking details of contingency plans.
- xi. The Northern Ireland Commissioner for Children and Young People's Second 'Statement on Children's Rights in Northern Ireland' and a Monitoring Table on progress by Departments in relation to the concluding observations of the UN Committee on the Rights of the Child.
- xii. Correspondence from the Children's Law Centre providing a copy of the Final NGO stakeholder report to inform the 'List of issues' to be sent to the UK Government by the UN Committee on the Rights of the Child and the Supporting Evidence Report.
- xiii. A Pivotal Public Policy Forum Report entitled 'New Decade, New Approach – one year on'.
- xiv. The Investment Strategy Northern Ireland – Department of Justice's Procurement Activity Report for December 2020.
- xv. The Northern Ireland Police Fund Annual Report and Accounts for year ended 31 March 2020.
- xvi. The Royal Ulster Constabulary GC Foundation Annual Report and Accounts for year ended 31 March 2019.

10. Chairperson's Business

- i. The Chairperson informed Members that correspondence had been received from a number of organisations that work with and on behalf of young people who experience the care and/or justice system requesting a meeting to discuss concerns regarding the proposals to establish a regional care and justice campus which the Departments of Justice and Health are currently consulting on.

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

- ii. The Chairperson informed Members that a request had been received from researchers at Queen's University and the University of Nottingham to speak with Members of the Committee as part of a research project which is exploring developments in youth justice in Northern Ireland since the Youth Justice Review in 2011 and areas for future priority.

Agreed: The Committee agreed that Members should contact the Committee Clerk if they wish to arrange a meeting with the researchers on this issue.

- iii. The Chairperson advised Members that the Final Stage of the Domestic Abuse and Civil Proceedings Bill was scheduled to take place on Monday 18 January 2021 and the creation of a mandatory training obligation for the Director of Public Prosecutions and staff of the Public Prosecution Service (PPS) through the amendments at both Consideration and Further Consideration Stage alters the functions of the PPS therefore the vote on the Final Stage would require cross-community support.

11. Any Other Business

None.

12. Date, Time and Place of the next meeting

The next meeting will be held on Tuesday 19 January 2021 at 12.30 p.m. in Room 30, Parliament Buildings.

The meeting was adjourned at 3.27 p.m.

Mr Paul Givan MLA
Chairperson, Committee for Justice