



**Northern Ireland  
Assembly**

**COMMITTEE FOR JUSTICE**

**MINUTES OF PROCEEDINGS**

THURSDAY 15 OCTOBER 2020

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 Gordon Dunne MLA  
Mr Paul Frew MLA  
Mrs Emma Rogan MLA\*  
Ms Rachel Woods MLA

\* These Members attended the meeting via video conferencing.

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

*The meeting commenced at 2.04 p.m. in public session.*

**1. Apologies**

There were no apologies.

The Clerk informed the Committee that, under Standing Order 115(6), Ms Dolan and Ms Rogan had delegated authority to Ms Dillon 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 8 October 2020.

### **3. Matters Arising**

#### Items 1 to 6 - Notes of Informal Meetings with Individuals on the Domestic Abuse and Family Proceedings Bill

The Committee noted the notes of six informal meetings with individuals held in September to discuss their experiences of domestic abuse to assist the Committee's consideration of the Domestic Abuse and Family Proceedings Bill. The Committee also noted additional information provided by a number of the individuals that had been included with the relevant meeting notes.

The Committee considered a request from a number of individuals to meet with the Committee to share their experiences of domestic abuse and parental alienation.

*Agreed:* The Committee agreed that, given the Committee Stage of the Domestic Abuse and Family Proceedings Bill was ending on 15 October, it would not be possible to schedule any further meetings in the context of the Bill, however further consideration of the request could be given in the future when considering relevant issues such as the Family Court and Contact Orders.

#### Items 7 and 8 – Correspondence from the Minister of Justice on Covid 19 and the NI Prison Service

The Committee noted two letters from the Minister of Justice providing updates on Covid-19 and the situation in Magilligan Prison and decisions taken by the Prison Service following the Covid-19 statement by the First Minister on behalf of the Executive on Wednesday 14 October 2020.

#### Item 9 - Letter from the Clerk/Chief Executive of Mid and East Antrim Borough Council regarding the ending of funding for its Support Hub

The Committee noted a letter from the Clerk/Chief Executive of Mid and East Antrim Borough Council regarding the ending of funding for its Support Hub. The Committee had already written to the Department of Justice requesting further information on this matter.

*Mr Frew joined the meeting at 2.09 p.m.*

### **4. Implementation Plan for the Gillen Review Recommendations in relation to Serious Sexual Offences Cases**

The following officials joined the meeting by video conferencing at 2.10 p.m.:

Ms Linda Hamilton, Deputy Director, EU Exit and Victims Support Division,  
Department of Justice  
Ms Angela Fitzpatrick, Head of Gillen Review Programme Team, Department of  
Justice  
Ms Julie Wilson, Head of Victims and Witnesses Branch and Gillen Review Policy  
Branch, Department of Justice

The officials provided an overview of the Implementation Plan for the Gillen Review Recommendations in relation to Serious Sexual Offences Cases.

*Mr Dunne joined the meeting at 2.21 p.m.*

*Ms Rogan left the meeting at 2.24 p.m.*

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.

The Chairperson thanked the officials for their attendance.

## **5. Proposals to Amend the Legislation Governing the Retention of DNA and Fingerprints in Northern Ireland – Outcome of Consultation and Proposed Way Forward**

The following officials joined the meeting by video conferencing at 2.58 p.m.:

Ms Maura Campbell, Head of Policing Policy and Strategy Division, Department of Justice

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

Mr Gary Dodds, Police Powers and Custody Branch, Department of Justice

The officials provided an overview of the results of the consultation on the package of legislative proposals on biometric retention and the Department of Justice's proposed next steps.

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 request the views of the Northern Ireland Human Rights Commission on the Department's proposed way forward in relation to the retention of DNA and Fingerprints.

*Agreed:* The Committee agreed to write to the Secretary of State for Northern Ireland and request clarification of how he intends to provide a lawful basis for the retention of DNA and Fingerprints for the sole purpose of investigations into Troubles related deaths.

*The meeting was suspended at 4.02 p.m.*

*The meeting recommenced at 4.10 p.m.*

Present: Mr Paul Givan MLA (Chairperson)  
Ms Linda Dillon MLA (Deputy Chairperson)  
Ms Sinead Bradley MLA\*  
Mr Doug Beattie MLA  
Ms Jemma Dolan MLA\*

Mr Gordon Dunne MLA  
Mr Paul Frew MLA  
Ms Rachel Woods MLA

\* These Members attended the meeting via video conferencing.

## **6. Domestic Abuse and Family Proceedings Bill – Consideration and Approval of Committee Report**

The Committee considered the final draft report on the Domestic Abuse and Family Proceedings Bill.

### **Proposed Amendment**

The Committee considered a proposed amendment to paragraph 592 of the draft Report.

*Agreed:* The Committee agreed that it was content with the proposed amendment to paragraph 592 of the draft report.

### **Title Page, Committee Membership and Powers Page, Table of Contents Page and Abbreviations Page**

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

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

### **Introduction**

The Committee considered the Introduction section of the report (paragraphs 1 to 22) as drafted.

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

### **Consideration of the Provisions of the Bill**

The Committee considered the Consideration of the Provisions of the Bill section of the report (paragraphs 23 to 522) as drafted.

*Agreed:* The Committee agreed that it was content with the Consideration of the Provisions of the Bill section of the report.

### **Implementation of the Legislation**

The Committee considered the Implementation of the Legislation section of the report (paragraphs 523 to 561) as drafted.

*Agreed:* The Committee agreed that it was content with the Implementation of the Legislation section of the report.

### **Other Issues not covered in the Bill**

The Committee considered paragraphs 562 to 591 of the Other Issues not covered in the Bill Section of the report as drafted.

*Agreed:* The Committee agreed that it was content with paragraphs 562 to 591 of the Other Issues not covered in the Bill Section of the report.

The Committee considered paragraph 592, as amended, of the Other Issues not covered in the Bill Section of the report.

*Agreed:* The Committee agreed that it was content with paragraph 592, as amended, of the Other Issues not covered in the Bill Section of the report.

The Committee considered paragraphs 593 to 654 of the Other Issues not covered in the Bill Section of the report as drafted.

*Agreed:* The Committee agreed that it was content with paragraphs 593 to 654 of the Other Issues not covered in the Bill Section of the report.

### **The Clause by Clause Consideration of the Bill**

The Committee considered the Clause by Clause Consideration of the Bill section of the report (paragraphs 655 to 703) as drafted.

*Agreed:* The Committee agreed that it was content with the Clause by Clause Consideration of the Bill 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.

### **Executive Summary**

The Committee considered the Executive Summary of the report as drafted.

*Agreed:* The Committee agreed that it was content with the Executive Summary.

*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 Domestic Abuse and Family Proceedings Bill to be published and issued to all MLAs.

*Agreed:* The Committee agreed that an electronic copy of the Bill report should be sent to all organisations and individuals who provided evidence to the Committee on the Bill.

The Committee noted an update from the Minister of Justice on the proposed timescales for the remaining stages of the Domestic Abuse and Family Proceedings Bill.

## **7. Counter-Terrorism (Sentencing and Release) Bill – Update**

The Committee considered correspondence from the Minister of Justice advising that she had received a request from the UK Government to bring forward a Legislative Consent Motion to operationalise a number of provisions within the proposed Counter Terrorism and Sentencing Bill but had concluded that, given the differing views on this matter, there was insufficient support for either a limited Legislative Consent Motion or for a full Legislative Consent Motion. Given the deadline for a response to the UK Government was 9 October, she had therefore written indicating that it would not be possible to secure legislative consent from the NI Executive for the relevant provisions within the Bill.

The Committee discussed the matter and the Assembly Standing Orders relating to Legislative Consent Motions.

*Agreed:* The Committee agreed to seek confirmation from the Minister of Justice that she intended to lay a memorandum before the Assembly explaining why a Legislative Consent Motion is not being sought in accordance with Standing Order 42A(4).

*Agreed:* The Committee agreed to request information from the Secretary of State for Northern Ireland regarding how he intended to take this matter forward in the absence of a LCM.

*Agreed:* The Committee agreed to request advice on the options available to a committee or an individual MLA in the absence of the Minister laying a Memorandum.

## **8. Implementation of Domestic Homicide Reviews in Northern Ireland- Update**

The Committee considered information from the Department of Justice providing an update on the implementation of Domestic Homicide Reviews (DHRs) in Northern Ireland.

*Agreed:* The Committee agreed to request clarification from the Department of Justice on the rationale for not including death by suicide within the scope of the DHR process at the outset.

## **9. CJINI Report – A Thematic Inspection of Public Protection Arrangements in Northern Ireland – Update on Implementation of Action Plan**

The Committee considered an update from the Department of Justice on progress to deliver the action plan to address the four strategic recommendations and two operational recommendations in the Criminal Justice Inspection Report of the Public Protection Arrangements in Northern Ireland that was published in October 2019.

*Agreed:* The Committee agreed to request information from the Department of Justice on progress in respect of the development of performance indicators.

## **10. Stocktake of Policing Oversight and Accountability Arrangements**

The Committee considered information provided by the Department of Justice on the first stage of the Stocktake of Policing Oversight and Accountability Arrangements which will involve targeted engagement with key bodies to identify key issues to be considered during the stocktake.

*Agreed:* The Committee agreed to schedule an oral evidence session with departmental officials on the key issues to be considered during the stocktake.

## **11. Penalty Notices for Disorder – Changes to Departmental Guidance**

The Committee considered further information provided by the Department on the views of Victim Support Northern Ireland on the revision of the guidance in relation to penalty notices for disorder and the date from which the new thresholds would apply.

*Agreed:* The Committee agreed that it was content to note the changes to the Department of Justice Guidance in relation to the Penalty Notice Scheme introduced in the Justice Act (Northern Ireland) 2011.

## **12. Correspondence**

- i. The Committee considered a letter from an individual on behalf of local activists and groups of Amnesty International outlining human rights abuses in Xinjiang region of China against Muslim ethnic minorities.

*Agreed:* The Committee agreed to respond to the individual indicating that this issue does not fall within the remit of the Committee for Justice.

- ii. The Committee considered a memo from the Committee for Finance advising that it had written to all Executive Ministers requesting an overview of all bids submitted by each Department within the in-year monitoring process and bids supported by costed proposals for Covid-19 related funding outside the in-year monitoring process.

*Agreed:* The Committee agreed to ask the Department of Justice for a copy of its response to the Committee for Finance.

- iii. The Committee considered a Criminal Justice Inspection Northern Ireland report on ‘How the Criminal Justice System Deals with Modern Slavery and Human Trafficking in Northern Ireland.’

*Agreed:* The Committee to request a copy of the response from the Department of Justice and justice bodies to the findings and recommendations in the inspection report.

The Committee noted the following:

- iv. The Annual Northern Ireland Courts and Tribunals Service Judicial Statistics Report 2019.

### **13. Chairperson’s Business.**

None.

### **14. Any Other Business**

None.

### **15. Date, Time and Place of the next meeting**

The next meeting will be held on Thursday 22 October 2020 at 2.00 p.m. in the Senate Chamber, Parliament Buildings.

The meeting was adjourned at 4.48 p.m.

**Mr Paul Givan MLA**  
**Chairperson, Committee for Justice**