



Northern Ireland
Assembly

Committee for Justice

Minutes of Proceedings

22 April 2021

Meeting Location: Room 30, Parliament Buildings, Belfast

Present: Mr Paul Givan MLA (Chairperson)

Present by Video or Teleconference:

Ms Linda Dillon MLA (Deputy Chairperson)

Mr Doug Beattie MLA

Ms Sinéad Bradley MLA

Ms Jemma Dolan MLA

Mr Paul Frew MLA

Ms Rachel Woods MLA

Apologies: Mr Gordon Dunne MLA

Ms Emma Rogan MLA

In Attendance: Mrs Christine Darrah (Assembly Clerk)

Mrs Kathy O'Hanlon (Senior Assistant Clerk)



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In Attendance by Video or Teleconference:

Mrs Clairita Frazer (Assistant Clerk)

Mrs Allison Mealey (Clerical Supervisor)

Ms Sarah Preece (Clerical Officer)

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

Ms Woods MLA declared an interest in relation to Agenda Item 15.7, with a family member being a Lay Magistrate.

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), Gordon Dunne MLA had delegated authority to the Chairperson, Paul Givan MLA, to vote on his behalf and Emma Rogan MLA had delegated authority to the Deputy Chairperson, Linda Dillon MLA, to vote on her behalf.

2. Draft Minutes

Agreed: The Committee agreed the minutes of the meeting held on 15 April 2021.



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3. Matters Arising

Item 1 - UK Financial Services Bill – Lack of Legislative Consent for Electronic Money Institutions Clause

The Committee noted a response from the Department of Justice on the potential consequences for Northern Ireland of not being included in the clause in the UK Financial Services Bill to ensure that law enforcement is able to freeze and forfeit proceeds of crime and terrorist property, not only held in bank and building society accounts but also when in electronic money and payment institution accounts.

Agreed: The Committee agreed to consider the matter further when a response from the Northern Ireland Policing Board is available on the matter.

Item 2 – Troubles Permanent Disablement Payment Scheme – Correspondence from the Minister of Justice

The Committee considered correspondence from the Minister of Justice providing an update on a meeting with the Secretary of State for Northern Ireland on the funding for payments made under the Troubles Permanent Disablement Payment Scheme.

Agreed: The Committee agreed to ask the Minister to keep it updated on any further meetings or developments regarding funding for the payments.

Agreed: The Committee agreed to forward a copy of the Minister's correspondence to the Representative Victims' Groups that recently attended an informal meeting with Members.

Item 3 - Troubles Permanent Disablement Payment Scheme – Correspondence from the Committee for the Executive Office

The Committee noted information provided by the Committee for the Executive Office on funding for the Troubles Permanent Disablement Payment Scheme including a copy of the Government Actuary's Department report on the anticipated costs of the Scheme.



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4. Criminal Justice (Committal Reform) Bill – Committee Informal Deliberations

The Committee considered the clauses of the Criminal Justice (Committal Reform) Bill and additional written information provided by the Department of Justice on a range of issues following the oral evidence session with officials on 25 March 2021.

The following officials were available via Starleaf and provided clarification of several issues during the discussions:

Glyn Capper, Head of Justice Performance Team, Access to Justice Directorate, Department of Justice

Laura Mallon, Justice Performance Team, Access to Justice Directorate, Department of Justice

Agreed: The Committee agreed that it did not wish to bring forward any amendments to the Clauses of the Bill.

Agreed: The Committee agreed a number of specific issues and areas that it wished to cover in the Bill Report.

The Chairperson advised the Committee that the Formal Clause by Clause consideration of the Bill would take place at the meeting on Thursday 6 May 2021.

5. Protection from Stalking Bill – Update on written evidence

The Committee considered information on the written evidence received following its Call for Evidence on the Protection from Stalking Bill.

Agreed: The Committee agreed that the written submissions received from organisations should be placed on the Committee Bill webpage.



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Agreed: The Committee agreed to consider proposals for oral evidence sessions on the Bill at the meeting on 29 April 2021 and Members would provide any suggestions to the Committee Clerk.

6. Justice (Miscellaneous Provisions) Bill - Content at Introduction and Planned Departmental Amendments

The Committee considered updated information provided by the Department of Justice on the content of the Justice (Miscellaneous Provisions) Bill and details of the areas on which the Department intends to bring forward provisions by way of amendments during the passage of the Bill through the Assembly.

Agreed: The Committee agreed to request information on what scoping work, analysis and public consultations have been or are being undertaken by the Department of Justice on the four policy areas on which the Minister is currently considering opportunities to develop legislative solutions in consultation with her Executive colleagues by way of possible amendments to the Justice (Miscellaneous Provisions) Bill, when the Committee will be provided with the results of the work and clarification of the role and process for Executive consideration of Ministerial amendments on policy areas not included in a Bill when introduced.

7. SL1: The Proceeds of Crime Act 2002 (Search, Seizure and Detention of Property: Code of Practice) Order (Northern Ireland) 2021

The Committee considered a proposal by the Department of Justice to make a Statutory Rule to bring a revised Code of Practice on Search, Seizure and Detention of Property into operation in Northern Ireland to reflect the future commencement of the relevant provisions of the Criminal Finances Act 2017.

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



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8. SL1: The Proceeds of Crime Act 2002 (Cash Searches: Code of Practice) Order (Northern Ireland) 2021

The Committee considered a proposal by the Department of Justice to make a Statutory Rule to bring a revised Code of Practice on Cash Searches into operation in Northern Ireland to reflect the future commencement of the relevant provisions of the Criminal Finances Act 2017.

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

9. SL1: The Proceeds of Crime Act 2002 (Investigations: Code of Practice) Order (Northern Ireland) 2021

The Committee considered a proposal by the Department of Justice to make a Statutory Rule to bring a revised Code of Practice on Investigations into operation in Northern Ireland to reflect the future commencement of the relevant provisions of the Criminal Finances Act 2017.

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



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10.SL1: The Proceeds of Crime Act 2002 (Recovery of Listed Assets: Code of Practice) (Northern Ireland) 2021

The Committee considered a proposal by the Department of Justice to make a Statutory Rule to bring a new Code of Practice on the Recovery of Listed Assets into operation in Northern Ireland to reflect the future commencement of the relevant provisions of the Criminal Finances Act 2017.

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

11.2021-22 Department of Justice Final Budget Allocations

The Committee considered a briefing paper from the Department of Justice setting out its 2021-22 final budget allocations and providing an update on reduced requirements declared to the Department of Finance after the January Monitoring Round, an explanation for the Forecast Outturn Variance for January 2021 and the current position regarding the 2020-21 Annual Report and Accounts.

Agreed: The Committee agreed to request further information from the Department on a number of areas in advance of the oral evidence session with departmental officials scheduled for the meeting on 29 April 2021.

12. Report into the Legislative Error in the Sexual Offences (Northern Ireland) Order 2008 – Implementation of Recommendations

The Committee considered the information provided by the Department of Justice on how the recommendations of the Review of the lessons arising from the Legislative Error within the Sexual Offences (NI) Order 2008 will be implemented.



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Agreed: The Committee agreed to request a fuller response regarding the implementation in due course from the Department when it has received responses from other relevant organisations.

13. Consultation on the Development of a Joint Secure Care and Justice Campus for Children on the Woodlands/Lakewood Site – Summary of Key Points raised in the Responses

The Committee considered the consultation analysis report provided by the Minister of Justice which summarised the responses received to the consultation on the Development of a Joint Secure Care and Justice Campus for Children on the Woodlands/Lakewood site, the joint response from the Department of Justice and the Department of Health and plans for next steps.

Agreed: The Committee agreed that the potential of holding a joint oral evidence session with the Committee for Health on the results of the consultation on the development of a Joint Secure Care and Justice Campus and the proposed way forward should be explored.

Agreed: The Committee agreed that the informal meeting with organisations that work with and on behalf of young people who experience the care and/or justice system should be scheduled once the consultation analysis report has been published and they have had an opportunity to consider it and in advance of the oral evidence session with officials and the potential to hold this jointly with the Committee for Health should be explored.

Agreed: The Committee agreed to request the written views of the NI Commissioner for Children and Young People on the consultation analysis report when it is published prior to scheduling the oral evidence session with the Commissioner to discuss these proposals and other justice related children's issues.



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14. Civil Legal Aid Reform: Legal Aid for Mediation in Non-Family Cases – Proposed Consultation

The Committee considered information provided by the Department of Justice in relation to a proposed consultation on provision of legal aid for mediation in non-family cases.

Agreed: The Committee agreed that it was content for the consultation to take place and it would consider the matter further when the results of the consultation and the proposed way forward are available.

15. Correspondence

- i. The Committee considered a response from the Department of Justice providing an update on the position regarding the decision by the PSNI Firearms and Explosives Branch to introduce an application process and fee for additional firearms magazines.

Agreed: The Committee agreed to forward the response to the British Association of Shooting and Conservation (BASC) and the Northern Ireland Firearms Dealers Association for information.

- ii. The Committee considered a response from the Department of Justice indicating that the Working Group considering the implications for the justice system in Northern Ireland of commencing section 49(1) of the Coroners and Justice Act 2009 is expected to provide its final findings and recommendations to the Minister by early June.

Agreed: The Committee agreed to forward the response to Sir Jeffrey Donaldson MP for information.

- iii. The Committee considered the Criminal Justice Inspection Northern Ireland (CJINI) Report of a Follow-Up Review on the Implementation of the



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Recommendations in the Thematic Inspection of the Handling of Domestic Violence and Abuse Cases by the Criminal Justice System.

The Committee discussed the need for a structured approach to monitor the implementation of all CJINI Report recommendations.

Agreed: The Committee agreed to write to the Department endorsing the Inspector's disappointment at the pace of progress to implement the recommendations in the CJINI Report and requesting further information on the planned actions to implement the outstanding recommendations, the timescales and the resources allocated to this work.

The Committee noted the following:

- iv. Correspondence from the Minister of Justice advising of the appointment of a service provider for an advocacy service for victims of domestic and sexual violence and abuse.
- v. A response from the Department of Justice regarding the purpose of the engagement with Policing and Community Safety Partnership managers on the funding issues and arrangements for the regional Support Hubs.
- vi. A response from the Department of Justice regarding the reduction in funding for Community Restorative Justice Ireland and NI Alternatives.
- vii. A response from the Department of Justice regarding the importance of diversity in relation to Lay Magistrates.
- viii. A response from the Department of Justice providing the additional text included in the Domestic Abuse Offence guidance in relation to Clause 28 of the Domestic Abuse and Civil Proceedings Act.
- ix. Correspondence from the Public Accounts Committee regarding its Inquiry into the NI Audit Office Report on 'Speeding Up Justice: Avoidable Delay in the Criminal Justice System'.
- x. Notification from the Northern Ireland Judicial Appointments Commission of the appointment of a District Judge in Northern Ireland.



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- xi. The Royal Ulster Constabulary GC Foundation Annual Report and Accounts for year ended 31 March 2020.

16. Chairperson's Business

None.

17. Any Other Business

The Committee condemned the attack earlier in the week on the female PSNI Officer and her family and Members placed on record their thoughts and solidarity with her.

18. Date, Time and Place of the next meeting

The next meeting will be held on Thursday 29 April 2021 at 2.00 p.m. in the Senate Chamber, Parliament Buildings.

The meeting was adjourned at 3.12 p.m.



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Paul Givan MLA

Chairperson, Committee for Justice

29 April 2021