



Northern Ireland  
Assembly

## Committee for Justice

### Minutes of Proceedings

24 June 2021

**Meeting Location:** The Senate Chamber, Parliament Buildings, Belfast

**Present:** Mr Mervyn Storey MLA (Chairperson)

Mr Peter Weir MLA

**Present by Video or Teleconference:**

Ms Linda Dillon MLA (Deputy Chairperson)

Ms Jemma Dolan MLA

Mr Robin Newton MLA

Ms Rachel Woods MLA

**Apologies:** Ms Emma Rogan MLA

**In Attendance:** Mrs Christine Darrah (Assembly Clerk)

Mrs Clairita Frazer (Assistant Clerk)

Mrs Allison Mealey (Clerical Supervisor)

Ms Sarah Preece (Clerical Officer)



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The meeting commenced at 11:00 a.m. in open session.

The Chairperson and Members welcomed Robin Newton MLA and Peter Weir MLA to the Committee for Justice.

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

### **1. Apologies**

As above.

The Chairperson informed the Committee that Doug Beattie MLA would be joining the meeting at 2.00 p.m.

The Chairperson informed the Committee that, under Standing Order 115(6), 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 17 June 2021.

### **3. Matters Arising**

#### **Item 1 – Committee Forward Work Programme**

The Chairperson advised the Committee that provisional arrangements had been made to hold the joint committee meeting with the Committee for Health on the Proposals for a Joint Secure Care and Justice Campus for Children on the Woodlands/Lakewood site on Thursday 1 July 2021 at 1.00 p.m.



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**Agreed:** The Committee agreed to hold a Concurrent Joint Meeting of the Committee for Justice and the Committee for Health on Thursday 1 July 2021 at 1.00 p.m. to take oral evidence on the Proposals for the Development of a Joint Secure Care and Justice Campus for Children on the Woodlands/Lakewood site.

The Committee noted that the oral evidence session with the Northern Ireland Commissioner for Children and Young People on the Development of the Secure Care and Justice Campus, the Department of Justice response to the NI Audit Office Report on “Managing Children who Offend” and other justice issues relevant to children and young people was scheduled for the meeting on Thursday 8 July 2021.

### **Item 2 – Department of Justice – Request for a change to the Committee Forward Work Programme**

The Committee considered a request from the Department to defer the written briefing paper on the planned transfer of the Appeals Service and Rent Assessment Panel from the Department for Communities to the Department of Justice, currently scheduled for the meeting on 1 July, to September 2021.

**Agreed:** The Committee agreed the change to the Forward Work Programme requested by the Department of Justice.

**Agreed:** The Committee agreed to take agenda item 6 before agenda item 4 to enable technical issues with Starleaf to be resolved for the oral evidence session with the Criminal Justice Inspectors.

### **4. Protection from Stalking Bill – Delegated Powers**

The Committee considered a response from the Department of Justice to a proposal by the Examiner of Statutory Rules regarding Clause 17 of the Protection from Stalking Bill which outlined that, having considered the matter further, the Department was proposing to resile from its position as set out in the Delegated Powers Memorandum, to lay the guidance on the exercise of the Chief Constable’s functions under the provisions relating to Stalking Protection Orders or Interim Stalking Protection Orders in the Assembly.



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**Agreed:** The Committee agreed to request clarification of the rationale for the decision of the Department to resile from its original position regarding laying the guidance in the Assembly and advise the Department that, if it is not considering an amendment to the Bill to implement the Examiner's proposal, the Committee will consider bringing forward an amendment.

**5. CJINI Report on Child Sexual Exploitation in Northern Ireland: An Inspection of the Criminal Justice System's Response**

The following representatives from Criminal Justice Inspection Northern Ireland joined the meeting via StarLeaf at 11:13 a.m.

Ms Jacqui Durkin, Chief Inspector, Criminal Justice Inspection Northern Ireland

Dr Roisin Devlin, Lead Inspector, Criminal Justice Inspection Northern Ireland

Ms Durkin outlined the key findings and recommendations of the Report on the Criminal Justice System's Response to Child Sexual Exploitation in Northern Ireland.

Mr Robin Newton MLA joined the meeting at 11:19 a.m.

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

The oral evidence session was reported by Hansard.

The Chairperson thanked the representatives for their attendance.

**Agreed:** The Committee agreed to send the action plan to address the Report recommendations provided by the Department of Justice to CJINI for its views and comments.

**Agreed:** The Committee agreed to ask the Minister of Education for information on how children are being educated on the issue of child sexual exploitation.



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**6. Action Plan to address the findings and recommendations in the CJINI Report on Child Sexual Exploitation in Northern Ireland: An Inspection of the Criminal Justice System's Response**

The following officials joined the meeting via StarLeaf at 12:07 p.m.

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

Katie Taylor, Deputy Director, Community Safety Division, Department of Justice,

Detective Chief Superintendent Anthony McNally, PSNI,

Ciaran McQuillan, Assistant Director, Serious Crime Unit, Public Prosecution Service

Teresa McAllister, Professional Officer, Safeguarding Board for Northern Ireland

Ms Galway outlined the current position in relation to addressing the findings and recommendations of the CJINI Report on the Criminal Justice System's Response to Child Sexual Exploitation in Northern Ireland.

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

The oral evidence session was reported by Hansard.

The officials agreed to provide further information on several issues discussed during the session.

The Chairperson thanked the officials for their attendance.

**Agreed:** The Committee agreed that a media campaign on child sexual exploitation to raise public awareness of this issue in Northern Ireland would be helpful.



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## **7. Police, Crime, Sentencing and Courts Bill – Proposed Legislative Consent Motion**

The Committee considered a further response from the Northern Ireland Human Rights Commission highlighting some areas that required clarification in relation to the provisions in the Police, Crime, Sentencing and Courts Bill that may be extended to Northern Ireland by way of a Legislative Consent Motion (LCM).

The Committee considered a response from the Department of Justice regarding any engagement it or the Home Office had undertaken with the Northern Ireland Office and the Department of Justice (Ireland) on potential implications of the powers to seize evidence relating to the location of human remains outside of a criminal investigation on the work of the Independent Commission for the Location of Victims' Remains.

The Committee noted an update on the provisions that the Executive has agreed can be included in the LCM.

**Agreed:** The Committee agreed to refer the response from the Northern Ireland Human Rights Commission to the Department for further comment on the issues raised.

**Agreed:** The Committee agreed to request further information and clarification on a range of issues relating to the LCM following which it would consider whether an oral evidence session with departmental officials should be scheduled in September.

## **8. SR 2021/138 The Parole Commissioners' (Amendment) Rules (Northern Ireland) 2021**

The Committee considered SR 2021/138: The Parole Commissioners' (Amendment) Rules (Northern Ireland) 2021 which amends Rule 22 of the Parole Commissioners (Northern Ireland) Rules 2009 and introduces provisions which allow registered victims, or other parties (where it is considered to be in the public interest), to receive summaries of parole decisions.



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The Committee noted further information provided by the Department of Justice on the engagement undertaken with key stakeholders including Victim Support on the changes made since the original proposal for the Rule had been considered in November 2020, an update on the position regarding two legal challenges and the intention of the Department to bring forward a further amendment to Rule 22 in a separate Statutory Rule.

The Committee noted that the Examiner of Statutory Rules had raised no issues with regard to the technical aspects of the Rule.

**Agreed:** The Committee considered SR 2021/138: The Parole Commissioners' (Amendment) Rules (Northern Ireland) 2021 and had no objection to the Rule.

### **9. Next steps for the "McCloud" Remedy for Judicial and Police Pension Schemes**

The Committee noted an update provided by the Department of Justice on the next steps to deliver the "McCloud" remedy for the Judicial and Police Pension Schemes.

### **10. Review of Hate Crime Legislation in Northern Ireland – Department of Justice Response to the Report Recommendations**

The Committee considered the Department of Justice's initial response to the findings and recommendations in the Report of the Review of Hate Crime legislation in Northern Ireland published by Judge Desmond Marrinan in December 2020.

**Agreed:** The Committee agreed to request further information on a number of issues including a timeline for the next steps to be undertaken by the Department.



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### **11. Phase 2 of the Review of the PSNI Injury on Duty Scheme**

The Committee considered information provided by the Department of Justice on the next steps and indicative timings for Phase 2 of the work being carried out to address the recommendations in the NI Audit Office Report in relation to the Injury on Duty Scheme for police officers.

**Agreed:** The Committee agreed to forward the update provided by the Department of Justice to the Northern Ireland Policing Board for information and any views/comments.

### **12. Review of Non-Fatal Strangulation Legislation – Proposed Consultation**

The Committee considered information provided by the Department of Justice on a proposed public consultation on the review of Non-Fatal Strangulation legislation.

**Agreed:** The Committee agreed to ask the Department of Justice for further information regarding the consultation and the timeframe.

### **13. Department of Justice June Monitoring Round Return and 2021-22 Covid-19 Exercise and Accruing Resources 2020-21**

The Committee noted further information provided by the Department of Justice on the areas included in the cross-justice recovery bid which was part of the recent 2021-22 Public Expenditure Covid-19 Exercise, the Department's accruing resources for 2020-21 and the June Monitoring Round forms submitted to the Department of Finance.





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The meeting was suspended at 1:35 p.m. and resumed at 2:00 p.m.

**Present:** Mr Mervyn Storey MLA (Chairperson)

Mr Peter Weir MLA

**Present by Video or Teleconference:**

Ms Linda Dillon MLA (Deputy Chairperson)

Mr Doug Beattie MLA

Ms Sinéad Bradley MLA

Ms Jemma Dolan MLA

Mr Robin Newton MLA

Ms Rachel Woods MLA

#### **14. Key Justice Issues – Oral Evidence with the Lord Chief Justice**

The Right Honourable Sir Declan Morgan, Lord Chief Justice of Northern Ireland and Ms Mandy Kilpatrick, Principle Private Secretary to the Lord Chief Justice, joined the meeting at 2:01 p.m.

Sir Declan made opening remarks covering a range of issues including COVID-19 recovery of court business, modernisation and digitalisation, current and potential legislation to improve the system, implementation of the Gillen Reviews and his proposal for the establishment of a non-Ministerial Department for the Court Service.

This was followed by a question and answer session.

The oral evidence session was reported by Hansard.



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Sir Declan agreed to provide further information on one issue discussed relating to the Gillen Review.

The Chairperson and Members paid tribute to Sir Declan's career in the legal profession and his valuable contribution as Lord Chief Justice for Northern Ireland and wished him a long and happy retirement.

The Chairperson passed on the Committee's best wishes to the two newly appointed County Court Judges.

The Chairperson thanked Sir Declan and Ms Kilpatrick for their attendance.

**Agreed:** The Committee agreed to request information from the Department of Justice on the current position regarding the court estate strategy, the proposal for a non-Ministerial Department and good practice implemented by the NI Courts and Tribunals Service that will be retained post-COVID.

### 15. Correspondence

- i. The Committee considered an invitation from the Women's Policy Group to attend the re-launch of the Covid-19 Feminist Recovery Plan on Wednesday 28 July 2021 via Zoom.

**Agreed:** The Committee agreed that any Member wishing to attend the event should advise the Committee Office to enable arrangements to be made.

- ii. The Committee considered a copy of correspondence from the Committee for Health to the Department of Justice requesting comments on the issues raised in correspondence from the Committee on the Administration of Justice regarding COVID 19 regulations and accommodating the right to protest.

**Agreed:** The Committee agreed to request a copy of the Department of Justice response to the Committee for Health.



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The Committee noted the following:

- iii. A copy of information provided by the Department of Justice to the Committee for Communities setting out details of the amount of funding allocated to community and voluntary sector organisations by it in 2020-21.
- iv. Notification of the publication of the Analysis Report of the Consultation on the Establishment of a Regional Care and Justice Campus.
- v. Notification from the Department of Justice that Statutory Rule 2021/167 The Criminal Finances (2017 Act) (Commencement) Regulations (Northern Ireland) 2021, which is not subject to any Assembly procedure, had been made on 17 June 2021 to bring into operation the relevant provisions of the Criminal Finances Act 2017 on 28 June 2021.
- vi. Notification of the appointment of two new County Court Judges in Northern Ireland.
- vii. The Community Restorative Justice Ireland Annual Report 2020 and a Report into CRJI's Organisational Activities Supporting Communities during COVID 19.

## **18. Chairperson's Business**

The Chairperson updated Members on a meeting he had with the Minister of Justice earlier in the week, which the Deputy Chairperson had also attended, to discuss the legislative programme in general and the Justice Bill in particular.

The Chairperson advised Members that he understood that a revised Justice Bill had been agreed for introduction to the Assembly by the Executive earlier in the day.



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**Agreed:** The Committee agreed to request information on the content of the revised Bill, what provisions would no longer be contained in the Bill and whether the proposed amendment relating to Positions of Trust would still be brought forward.

**19. Any Other Business**

None.

**20. Date, Time and Place of the next meeting**

A meeting of the Concurrent Committee of the Committee for Justice and the Committee for Health will be held on Thursday 1 July at 1.00 p.m. in Parliament Buildings to take oral evidence on the Proposals for a Joint Secure Care and Justice Campus.

The next meeting of the Committee for Justice will be held on Thursday 1 July at 2.30 p.m. in Room 30, Parliament Buildings.

The meeting was adjourned at 3:52 p.m.

**Mervyn Storey MLA**

**Chairperson, Committee for Justice**

**1 July 2021**