



Northern Ireland
Assembly

Committee for Justice

Minutes of Proceedings

22 March 2022

Meeting Location: Room 30, Parliament Buildings, Belfast

Present: Mr Mervyn Storey MLA (Chairperson)
Ms Sinéad Ennis MLA (Deputy Chairperson)
Mr Doug Beattie MLA
Ms Jemma Dolan MLA
Mr Peter Weir MLA
Ms Rachel Woods MLA

Apologies: Ms Sinéad Bradley MLA
Mr Robin Newton MLA
Ms Emma Rogan MLA

In Attendance: Mrs Christine Darrah (Assembly Clerk)
Mrs Kathy O'Hanlon (Senior Assistant Clerk)
Mrs Clairita Frazer (Assistant Assembly Clerk)
Mr Stephen Corr (Clerical Supervisor)



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The meeting commenced at 10:32 a.m. in public session.

1. Apologies

As above.

The Chairperson informed the Committee that, under Standing Order 115(6), Emma Rogan MLA had delegated authority to the Deputy Chairperson, Sinéad Ennis MLA, to vote on her behalf.

2. Draft Minutes

Agreed: The Committee agreed the minutes of the meeting held on 7 March 2022.

Agreed: The Committee agreed the minutes of the meeting held on 10 March 2022.

3. Matters Arising

Item 1 – Note of Informal Meeting with Family Mediation Northern Ireland

The Committee considered a note of an informal meeting with the Chief Executive Officer (CEO) of Family Mediation Northern Ireland which took place on Friday 11 March 2022 to discuss the provision of mediation services in family breakdown situations and the position regarding delivery of the Private Family Law Early Resolution Action Plan.

Agreed: The Committee agreed to write to the Department of Justice on the issues raised during the discussion and to the Northern Ireland Commissioner for Children and Young People to draw her attention to the matter for consideration of what



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action she can take and to provide a copy of both letters to the CEO of Family Mediation Northern Ireland for information.

The Committee noted that the issue had been highlighted in the Committee Legacy Report as an issue the next Justice Committee may wish to consider.

Peter Weir MLA joined the meeting at 10:36 a.m.

Item 2 - Department of Justice Response Regarding the Availability of the Revised Domestic Abuse Guidance

The Committee noted a response from the Department of Justice setting out the position regarding the dissemination of the revised Domestic Abuse Guidance.

Item 3 - Department of Justice Response Regarding the Domestic Violence Court

The Committee noted a response from the Department of Justice setting out the reasons for the delay in introducing the Domestic Violence Listing Court pilot.

Agreed: The Committee agreed to include this matter in its Legacy Report as an issue the next Justice Committee may wish to monitor.

Item 4 - Department of Justice Response on Engagement with the Office of the Northern Ireland Executive in Brussels

The Committee noted a response from the Department of Justice providing information on its engagement with the Office of the Northern Ireland Executive in Brussels.



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Item 5 - Department of Justice response dated 16 March 2022 – Feminist Recovery Plan

The Committee noted a response from the Department of Justice outlining the position regarding the recommendations in the Women’s Policy Group’s Feminist Recovery Plan specific to its remit.

Item 6: Department of Justice Response on Proposals for Statutory Rules as a consequence of the Registration of Clubs (Amendment) Act (Northern Ireland) 2021

The Committee noted a response from the Department of Justice regarding communication with local producers on the timescales for commencement of Section 11 of the Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021.

Item 7: Department of Justice Response Regarding Funding for the Strategy for Supporting Women and Girls in or at risk of Contact with the Justice System

The Committee noted a response from the Department of Justice regarding funding for the Strategy for Supporting Women and Girls in or at risk of contact with the justice system and inviting Members to attend the launch of the Strategy on Wednesday 23 March 2022.

4. SR 2022/74 The Proceeds of Crime Act 2002 (Application of The Police and Criminal Evidence (Northern Ireland) Order 1989) (Amendment) Order (Northern Ireland) 2022

The Committee considered SR 2022/74 The Proceeds of Crime Act 2002 (Application of The Police and Criminal Evidence (Northern Ireland) Order 1989) (Amendment) Order (Northern Ireland) 2022 which will amend the Proceeds of Crime Act 2002 (Application of the Police and Criminal Evidence (Northern Ireland)



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Order 1989) Order (Northern Ireland) 2016) to correct six minor drafting errors to ensure consistency with the 1989 Order in respect of the Northern Ireland PACE regime as it applies to the Proceeds of Crime Act. The Rule also adds a new Schedule setting out how Articles 17, 18, 23 and 24 of the 1989 Order should be applied to warrants and search and seizure powers under Proceeds of Crime Act investigations.

The Committee noted the advice of the Examiner of Statutory Rules that the Schedule purports to set out, for ease of reference, how certain provisions of the modified 1989 Order are to be applied however in her view, this re-statement of provisions of existing legislation may give rise to a risk of a lack of clarity and certainty. The Examiner also noted that the Schedule had not been given effect in the 2022 Order. The Examiner was however satisfied with the assurances provided by the Department that it will amend the 2022 Order at the earliest opportunity to remove the Schedule to address her concerns.

Agreed: The Committee considered SR 2022/74 The Proceeds of Crime Act 2002 (Application of The Police and Criminal Evidence (Northern Ireland) Order 1989) (Amendment) Order (Northern Ireland) 2022 and had no objection to the Rule.

Agreed: The Committee agreed to consider the next two agenda items together.

5. SL1: The County Courts (Financial Limits) Order (Northern Ireland) 2022

6. SL1: The County Courts (Amendment) Rules (Northern Ireland) 2022 – Small Claims

The Committee considered proposals for two Statutory Rules, which are subject to the negative resolution procedure, relating to an increase to the limit for small claims jurisdiction and corresponding references to this within the County Court Rules and the response from the Lady Chief Justice to the Minister of Justice following formal consultation on the proposals.



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Agreed: The Committee agreed that, in light of the views of the Lady Chief Justice and her request to the Minister of Justice that the increase should not come into operation before the autumn the Department should be advised that the next Justice Committee should have the opportunity to consider the proposals in detail.

7. Update on SL1s – Licensing Reform Court Fees

The Committee noted information provided by the Department of Justice regarding changes to the legislative process, as a result of two commencement dates being needed by the Department for Communities for the implementation of Phase 2 of the licensing reforms, to prescribe fees for new licensing applications which can be brought to the County Court and magistrates' court as a consequence of the Licensing and Registration of Clubs (Amendment) Act 2021.

8. Draft Committee for Justice Legacy Report 2017 – 2022

The Committee considered a draft Legacy Report covering its work during the 2017/22 Mandate.

Agreed: The Committee agreed a number of additions to the draft section of the report on “Issues the Incoming Committee may wish to consider” proposed by Sinéad Ennis MLA and the addition agreed earlier in the meeting under Matters Arising.

Title, Table of Contents, List of Abbreviations and Acronyms and Remit, Powers and Committee Membership

The Committee considered the Title page, Table of Contents page, List of Abbreviations and Acronyms pages and and Remit, Powers and Membership pages as drafted.



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

Review of 2017-2022 Mandate: Scrutiny

The Committee considered the Review of 2017-2022 Mandate: Scrutiny section of the report (paragraphs 1 to 63) as drafted.

Agreed: The Committee agreed that it was content with the Review of 2017-2022 Mandate: Scrutiny section of the report.

Review of 2017-2022 Mandate: Approach

The Committee considered the Review of 2017-2022 Mandate: Approach section of the report (paragraphs 64 to 73) as drafted.

Agreed: The Committee agreed that it was content with the Review of 2017-2022 Mandate: Approach section of the report.

Review of 2017-2022 Mandate: Issues the Incoming Committee may wish to consider

The Committee considered the Review of 2017-2022 Mandate: Issues the Incoming Committee may wish to consider section of the report (paragraphs 74-93) as amended.

Agreed: The Committee agreed that it was content with the Review of 2017-2022 Mandate: Issues the Incoming Committee may wish to consider section as amended.

Appendices

The Committee considered Appendices 1, 2 and 3 of the report and noted that Appendices 2 and 3 would be finalised after today's meeting.



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Agreed: The Committee agreed that it was content that Appendices 1, 2 and 3 be included in the Report.

Agreed: The Committee agreed that it was content for the Committee for Justice Legacy Report: 2017/22 Mandate to be published on the Committee's webpage.

9. Implementation of the New Stalking Offence

The Committee considered correspondence from the Police Service of Northern Ireland and the Department of Justice outlining the current position regarding the provision of the Statutory Guidance on the new Stalking Offence and the roll-out of training.

The Committee expressed concern that the new offence would become operational once the Protection from Stalking Bill received Royal Assent but the Statutory Guidance was not yet available from the Department of Justice to enable operational partners to fully prepare and provide the necessary training.

10. Strategic Framework for Youth Justice in Northern Ireland – Further Information

The Committee considered a response from the Department of Justice on a range of issues relating to the Strategic Framework for Youth Justice for 2022-27 and Five-Year Action Plan.

Agreed: The Committee agreed to provide a copy of the response from the Department of Justice to the Northern Ireland Commissioner for Children and Young People and the children's organisations who had been in contact regarding youth justice issues for information and advise them that the issue had been included in the Committee's Legacy Report together with the Development of a Secure Care and Justice Campus as ones that the next Justice Committee may wish to prioritise.



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11. Northern Ireland Prison Service Independent Monitoring Board – Response to Issues raised

The Committee considered a response from the Department of Justice on a range of issues it had raised regarding the support provided to the NI Prison Service Independent Monitoring Boards (IMBs) including the recruitment and training of members.

Agreed: The Committee agreed to provide a copy of the response to the Chair of the IMB Executive Council for information.

12. Civil Justice Modernisation Delivery Plan – Progress Report

The Committee noted an update provided by the Department of Justice on progress to deliver each of the priority areas in the Civil Justice Modernisation Delivery Plan.

13. Correspondence

- i. The Committee considered responses from the Department of Justice and the President of the Victims' Payments Board regarding the Troubles Permanent Disablement Payment Scheme and access to medical information in a timely manner for assessments.

Agreed: The Committee agreed to forward the responses to the Representatives of the Victims' Groups for information.

The Committee noted the following:

- ii. A copy of correspondence from the Department of Justice to the Committee for Health outlining how it provides access to information for people affected by hearing loss, sight loss and/or other sensory impairments.



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- iii. A response from the Department of Justice providing information on the funding position in relation to the Adult Restorative Justice Strategy for Northern Ireland and progress to establish a Centre of Restorative Justice Excellence.
- iv. A copy of the Minister of Justice's Written Statement on the Economic Crime (Transparency and Enforcement) Bill and the associated Memorandum laid in the Assembly.
- v. Correspondence from the Department of Justice advising that the Minister of Justice had appointed a Victims of Crime Commissioner Designate with effect from 13 June 2022.
- vi. A response from the Department of Justice on the progress report by the Review Team on delivery of the recommendations of the Review of Support Services for Prison Service Operational staff and the current position in respect of the NI Prison Service staff pay and grading settlement.

The Chairperson noted that a pay settlement had been imposed on 21 March 2022 and expressed concern that this action may have breached a previous agreement with the Prison Officers' Association and the potential implications of that.

- vii. A response from the Department of Justice on the likely impact of the absence of a multi-year budget on the implementation of the recommendations of the Gillen Review into serious sexual offences in Northern Ireland.
- viii. A response from the Department of Justice setting out the reasons why the Duty to Notify provision in the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015 had not been commenced before now.



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- ix. Correspondence from the Department of Justice advising that an Authorisation Order for the requisition of land at Crumlin Road and Flax Street came into effect at 0001hrs on Monday 21 March 2022.
- x. Correspondence from the Department of Justice advising that the Government Actuary's (GA) Report of his Review and Determination of the Personal Injury Discount Rate in Northern Ireland had been laid in the Assembly on 21 March 2022 and the rate of -1.5% determined by the GA came into effect on 22 March 2022.
- xi. The summary report provided by the Committee for the Executive Office of its stakeholder event on the Violence Against Women and Girls Strategy.
- xii. A copy of correspondence from the Department of Education to the Committee for Education providing an update on the pilot of the Operation Encompass Scheme in Northern Ireland.

14. Chairperson's Business

None.

15. Any Other Business

The Chairperson advised Members that this was the last scheduled meeting of the Justice Committee in the current mandate.

Agreed: The Committee agreed that the Chairperson should approve the minutes of today's meeting.



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Agreed: The Committee agreed that a standard letter should issue in response to any correspondence which arrives after today's meeting and before the dissolution of the Assembly stating that no further meetings of the Committee are due to take place but that the correspondence would be forwarded to its Members.

The Chairperson expressed his thanks and appreciation to all Committee Members for their contributions to the work of the Committee over the entire mandate and particularly since he joined the Committee and noted the invaluable contribution the Committee had made to shaping and improving the justice legislation that had been passed by the Assembly.

The Chairperson conveyed his best wishes to Sinéad Bradley MLA, Robin Newton MLA and Emma Rogan MLA who were not standing for re-election and wished them well for the future.

The Chairperson thanked the Committee Clerk and the entire team for their work and support over the mandate.

The Deputy Chairperson echoed the sentiments of the Chairperson and expressed her thanks to the Chairperson for his work and approach in Chairing the Committee.

The meeting was adjourned at 11:21 a.m.

Mervyn Storey MLA

Chairperson, Committee for Justice

25 March 2022