



**Northern Ireland
Assembly**

COMMITTEE FOR JUSTICE

MINUTES OF PROCEEDINGS

THURSDAY 23 JANUARY 2020

Room 30, Parliament Buildings, Belfast

Present: Mr Paul Givan MLA (Chairperson)
Ms Linda Dillon MLA (Deputy Chairperson)
Mr Doug Beattie MLA
Mr Gordon Dunne MLA
Mr Paul Frew MLA
Mr Raymond McCartney MLA
Mr Patsy McGlone MLA
Mr Pat Sheehan MLA
Ms Rachel Woods MLA

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

The Chairperson welcomed the Members to the first meeting of the Committee for Justice.

The Committee agreed to start the meeting in closed session to discuss a number of protocols and procedures.

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The meeting commenced at 2.01 p.m. in closed session.

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Mr Dunne joined the meeting at 2.02p.m.

1. Apologies

There were no apologies.

2. Staff Contact Details

The Committee noted the Justice Committee staff contact details.

3. Committee Protocols

The Committee discussed a number of protocols and procedures covering arrangements for committee meetings, correspondence and requests for meetings not linked to its strategic priorities or statutory responsibilities, approaches to preparation for evidence sessions, outcomes of an effective committee, a Committee Induction Plan and the Committee use of social media.

Agreed: The Committee agreed that committee meetings would be held in public session unless there is a specific reason for proceedings to be closed.

Agreed: The Committee agreed the Induction Plan and noted that dates for some sessions may change.

Agreed: The Committee agreed an approach for dealing with correspondence and requests for meetings not specifically linked to its strategic priorities or statutory duties.

Agreed: The Committee agreed that further consideration would be given to scheduling a questioning techniques session when the strategic priorities had been decided.

4. Briefing by the Committee Clerk on Statutory Rules and the approach to be taken

The Committee Clerk outlined a proposed approach to manage, within the statutory time periods available, the backlog of Statutory Rules laid by the Department of Justice and the Attorney General for Northern Ireland since March 2017 that had been referred to the Committee to scrutinise.

Agreed: The Committee agreed the approach to be taken to consider the backlog of Statutory Rules laid by the Department of Justice and the Attorney General for Northern Ireland since March 2017 that had been referred to the Committee to scrutinise.

Agreed: The attendance of the Attorney General for Northern Ireland at the meeting on 30 January to discuss the three Statutory Rules he had made would provide an opportunity for a broader discussion on criminal justice issues.

The meeting moved into public session at 2.31p.m.

Agreed: The Committee agreed that, the two oral overview briefings on the Department of Justice should be recorded by Hansard.

5. Committee Membership

The Committee noted details of the membership.

6. Declaration of Members' Interests

The Chairperson advised Members that the relevant entry from the Members' Register of Interests for each Member of the Justice Committee had been circulated.

The Chairperson informed members of the requirement in Standing Order 69(5) that:

'A Member who has

- (a) a financial interest in any matter; or*
- (b) a relevant interest in any matter,*

must declare that interest before taking part in any proceedings of the Assembly relating to that matter.'

The Chairperson advised that *'proceedings of the Assembly'* included meetings of the Committee for Justice and asked Members if they had any interests to declare.

No interests were declared.

7. Committee Procedures

The Committee noted guidance papers on:

- The Powers and Operation of Statutory Committees
- The Role of the Chairperson
- The Role and Functions of the Committee Office

The Chairperson drew the attention of Members to the guidance on Privilege and Sub-Judice contained in the guidance paper on the powers and operation of statutory committees.

8. Guidance on Timescales for Interaction between Committees and Departments

The Committee noted guidance on interaction between Committees and Departments, which set out the timescales for the provision of information and evidence between Departments and Committees.

9. Subordinate Legislation: Delegation of Technical Scrutiny to the Examiner of Statutory Rules

The Committee noted the guidance paper on Handling Subordinate Legislation (Statutory Rules).

Agreed: The Committee for Justice resolves under Standing Order 43 to delegate to the Examiner of Statutory Rules the technical scrutiny of Statutory Rules referred to the Committee under the above mentioned Standing Order.

The Committee further resolves that in carrying out this function the Examiner shall be authorised to report her technical findings on each Statutory Rule to

the Assembly and to the relevant Department, as well as to the Committee itself, and to publish her report.

10. 2011-16 Committee for Justice Legacy Report

The Committee noted the 2011-16 Justice Committee Legacy Report which set out its key activities, outputs and achievements.

11. Overview Briefing on the Department of Justice

Mr Peter May, Permanent Secretary of the Department of Justice, joined the meeting at 2.40 p.m.

Mr May provided an overview of the structure, responsibilities and budget of the Department of Justice.

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

Mr May agreed to provide further information on several issues.

The oral evidence session was reported by Hansard.

The Chairperson thanked the Permanent Secretary for his attendance and he left the meeting.

12. Overview Briefing on the Justice Delivery Directorate

The following officials joined the meeting at 3.32 p.m.:

Deborah Brown, Director, Justice Delivery Directorate
Stephen Martin, Deputy Director, Enabling Access to Justice Division
Sinead Simpson, (Acting) Deputy Director, Corporate Engagement & Communications and Compensation Services
Ray Murray, Deputy Director, Information Services Division

The officials provided an overview briefing on the Justice Delivery Directorate.

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

Raymond McCartney left the meeting at 3.54 p.m.

The officials agreed to provide further information on a number of issues.

The oral evidence session was reported by Hansard.

The Chairperson thanked the officials for their attendance and they left the meeting.

13. SR2016/431: The Victim Statement Regulations (Northern Ireland) 2016

The Committee considered SR2016/431: The Victim Statement Regulations (Northern Ireland) 2016 which provides for when, how and by whom the opportunity to make a

victim statement and supplementary victim statement is to be afforded in cases where the Director of Public Prosecutions has the conduct of criminal proceedings. Being afforded an opportunity to make a statement applies to a victim, bereaved family member and parent of a young victim.

Agreed: The Committee considered SR2016/431: The Victim Statement Regulations (Northern Ireland) 2016 and, subject to the Examiner of Statutory Rules' report, had no objection to the Rule.

14. SR2017/19: The County Court (Amendment) Rules (Northern Ireland) 2017

The Committee considered SR2017/19: The County Court (Amendment) Rules (Northern Ireland) 2017 which amends Appendix 2 of the County Court Rules (Northern Ireland) 1981 to update the scale costs payable to solicitors and barristers in proceedings in the County Court following a review carried out by the County Court Rules Committee.

Agreed: The Committee considered SR2017/19: The County Court (Amendment) Rules (Northern Ireland) 2017 and, subject to the Examiner of Statutory Rules' report, had no objection to the rule.

15. SR2017/26 The Police Pensions (Amendment) Regulations (Northern Ireland) 2017

The Committee considered SR2017/26 The Police Pensions (Amendment) Regulations (Northern Ireland) 2017 which makes a number of technical amendments to the Police Pensions Regulations (Northern Ireland) 2015 and the Royal Ulster Constabulary Pensions (Additional Voluntary Contributions) Regulations 1993 including a minor word change to remove any ambiguity, clarification of a legislative reference and addressing a minor drafting error identified by the Examiner of Statutory Rules.

Agreed: The Committee considered SR2017/26 The Police Pensions (Amendment) Regulations (Northern Ireland) 2017 and, subject to the Examiner of Statutory Rules' report, had no objection to the rule.

16. SR2017/27: The Costs Protection (Aarhus Convention) (Amendment) Regulations (Northern Ireland) 2017

The Committee considered SR2017/27: The Costs Protection (Aarhus Convention) (Amendment) Regulations (Northern Ireland) 2017 which amends the Costs Protection (Aarhus Convention) Regulations (Northern Ireland) 2013 to enhance the flexibility and clarity of the arrangements in relation to levels of costs protection, costs on appeal, eligibility for costs protection and interim injunctions.

The following official joined the meeting at 4.13 p.m.:

Jo Wilson, Head of Civil Courts and Brexit

The official outlined the purpose of the Statutory Rule and answered Members' questions.

The Chairperson thanked Jo Wilson for her attendance.

Agreed: The Committee considered SR2017/27: The Costs Protection (Aarhus Convention) (Amendment) Regulations (Northern Ireland) 2017 and, subject to the Examiner of Statutory Rules' report, had no objection to the rule.

17. SR2017/36: The Police Service of Northern Ireland and Police Service of Northern Ireland Reserve (Injury Benefit) (Amendment) Regulations 2017

The Committee considered SR2017/36: The Police Service of Northern Ireland and Police Service of Northern Ireland Reserve (Injury Benefit) (Amendment) Regulations 2017, which amends the PSNI and PSNI Reserve (Injury Benefit) Regulations to reflect the replacement of Incapacity Benefit by Employment Support Allowance and enable PSNI Pensions Branch to deduct ESA from an injury on duty pension on a point forward basis ensuring recipients do not receive duplicate payments for the same injury.

The following officials joined the meeting at 4.24 p.m.:

Andrena Murray, Deputy Principal, Police Powers & Human Resources Policy Branch
Eileen Coulter, Deputy Principal, Police Powers & Human Resources Policy Branch

The officials outlined the purpose of the Statutory Rule and answered Members' questions.

The officials agreed to provide further information on several issues.

The Chairperson thanked the officials for their attendance.

Agreed: The Committee considered SR2017/36: The Police Service of Northern Ireland and Police Service of Northern Ireland Reserve (Injury Benefit) (Amendment) Regulations 2017 and, subject to the Examiner of Statutory Rules' report, had no objection to the rule.

18. Draft Committee Forward Work Programme

The Committee noted a Forward Work Programme for January 2020.

19. Correspondence

- i. The Committee considered the Department of Justice response to recommendations in the Northern Ireland Audit Office report on 'Speeding Up Justice: Avoidable Delay in the Criminal Justice System'.

Agreed: The Committee agreed to request an update from the Department of Justice on progress to address the recommendations.

- ii. The Committee considered the Department of Justice response to recommendations in the Northern Ireland Audit Office report on 'Mental Health in the Criminal Justice System'.

Agreed: The Committee agreed to request an update from the Department of Justice on progress to address the recommendations.

- iii. The Committee considered correspondence regarding historical child sexual abuse cases in Fermanagh.

Agreed: The Committee agreed to request an overview of the current position from the Department of Justice including the number of cases, the likely timeframe for investigations and what is being done regarding ensuring positive relationships between victims and the PSNI/PPS.

The Committee noted the following:

- iv. Correspondence from the Northern Ireland Judicial Appointments Commission on the appointment of a High Court Judge in Northern Ireland.
- v. A list of Criminal Justice Inspection Northern Ireland reports that had been laid in the Assembly Business Office since March 2017 and were available in the Committee Office.
- vi. A list of Annual Reports and Accounts of various Justice organisations that had been laid in the Assembly Business Office since March 2017 and were available in the Committee Office.
- vii. A list of other justice related documents that had been laid in the Assembly Business Office since March 2017 and were available in the Committee Office.

20. Chairpersons Business

The Chairperson advised Members that he and the Deputy Chairperson had accepted invitations from the Attorney General for Northern Ireland to speak at his Living Law event on 6 February 2020 in Parliament Buildings.

The Chairperson advised Members that he had accepted an invitation to the launch of the PSNI Student Officer Recruitment campaign on 4 February 2020.

21. Any Other Business

None.

22. Date, Time and Place of Next Meeting

The next meeting will be held on Tuesday 28 January at 10.30a.m. in the Senate Chamber, Parliament Buildings.

The Meeting was adjourned at 4.38p.m.

Mr Paul Givan MLA
Chairperson, Committee for Justice