



**Northern Ireland
Assembly**

COMMITTEE FOR JUSTICE

MINUTES OF PROCEEDINGS

TUESDAY 10 DECEMBER 2013
Room 29, Parliament Buildings

Present: Mr Paul Givan MLA (Chairman)
Mr Raymond McCartney MLA (Deputy Chairman)
Mr Sydney Anderson MLA
Mr Stewart Dickson MLA
Mr Tom Elliott MLA
Mr William Humphrey MLA
Mr Seán Lynch MLA
Mr Alban Maginness MLA
Ms Rosaleen McCorley MLA
Mr Patsy McGlone MLA
Mr Jim Wells MLA

In Attendance: Mrs Christine Darrah (Assembly Clerk)
Ms Marie Austin (Assistant Assembly Clerk)
Mrs Sinead Kelly (Assistant Assembly Clerk)
Mrs Julie Devlin (Clerical Supervisor)
Miss Marianne Doherty (Clerical Officer)

The Committee agreed to meet in closed session to consider Agenda item 1.

The meeting commenced at 12.33 p.m. in closed session.

1. Preliminary Legal Advice on issues relating to the Judicial Appointments Process

Mr Hugh Widdis, Director of Legal Services, attended the meeting to provide preliminary legal advice on issues relating to the Judicial Appointments Process and answered Members' questions.

The Committee noted that Mr Widdis would attend the next meeting of the Committee to provide his substantive advice.

The Chairman thanked Mr Widdis and he left the meeting.

The meeting moved into public session at 12.46 p.m.

2. Apologies

There were no apologies.

3. Draft minutes of the meeting held on 5 December 2013

The Committee approved the draft minutes of the meeting held on 5 December 2013.

The Committee agreed to bring forward part of Agenda Item 11- Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill - Arrangements for Oral Evidence Sessions

4. Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill – Arrangements for oral evidence sessions

The Committee considered further oral evidence sessions to be scheduled on the Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill in January 2014.

12.48 p.m. Mr Sean Lynch joined the meeting

12.52 p.m. Mr Alban Maginness joined the meeting

12.57 p.m. Mr William Humphrey joined the meeting

Agreed: The Committee agreed eight oral evidence sessions with a range of organisations and individuals to be scheduled in January 2014.

Agreed: The Committee agreed that arrangements should be made for the Department of Justice and the PSNI to give oral evidence.

Agreed: The Committee agreed to hold an evidence event to which other key stakeholders who had provided written evidence would be invited. The format and arrangements for the event and the organisations/individuals to be invited would be finalised in January 2014.

The Committee agreed to bring forward one item of correspondence from Agenda Item 13

5. Correspondence

The Committee considered a response from the PSNI providing information requested at the oral evidence session on 19 September with the Chief Constable Matt Baggott and senior officers on the budget and resource challenges, the cost of summer policing activities and the child sexual exploitation investigation.

Agreed: The Committee agreed to request additional information on the cost of policing protests in November 2013 and the additional cost of the increased security measures in Belfast City Centre following a recent bomb attack.

1.07 p.m. Mr Sydney Anderson left the meeting

6. Matters Arising

There were no matters arising.

7. SR 2013/272 Legal Aid (Assessment of Resources) (Amendment) Regulations (Northern Ireland) 2013

The Committee considered Statutory Rule 2013 No.272: Legal Aid (Assessment of Resources) (Amendment) Regulations (Northern Ireland) 2013 which will amend the Legal Aid (Assessment of Resources) Regulations (Northern Ireland) 1981 to enable the Legal Aid Assessment Office to make a deduction of 50% of the cost of living accommodation (or such other percentage considered reasonable) in the circumstances where a person applying for civil legal aid who is not a householder cannot or does not differentiate between the cost of his living accommodation and the cost of his keep.

Agreed: The Committee for Justice considered Statutory Rule 2013 No.272: Legal Aid (Assessment of Resources) (Amendment) Regulations (Northern Ireland) 2013 and agreed that it was content with the Rule.

8. Department of Justice January 2014 Monitoring Round Return

The Committee considered information provided by the Department of Justice on its January 2014 monitoring round position and the main pressures and easements.

Agreed: The Committee agreed to request further information regarding the £5.6m funding pressure relating to the Historical Enquiries Team and an analysis of the current position regarding the financial settlement agreed for the PSNI as part of the 2011 – 2015 Budget.

9. Proposed Reform of the Office of the Police Ombudsman for Northern Ireland – Results of the Targeted Consultation and Final Reforms Package

The Committee considered information provided by the Department of Justice on the results of the targeted consultation on proposed Reforms of the Office of the Police Ombudsman for Northern Ireland and the final reform package of legislative and administrative changes the Minister of Justice intended to take forward. A number of Members indicated they had concerns regarding some of the proposals.

Agreed: The Committee agreed to write to the Minister of Justice to highlight that the Committee was unable to reach a consensus on the proposals he intends to take forward, with a number of Members indicating they could not support some of them, and noting that he would have to take the proposals to the Executive.

10. Implementation of New Biometric Retention Framework – Consultation on Transitional Order and Qualifying Offences (Amendment) Order

The Committee considered a proposal by the Department of Justice for a 12-week consultation on a Transitional Order and a Qualifying Offences (Amendment) Order which are required in relation to the implementation of the new Biometric Retention Framework.

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

11. Reform of Police Discipline and Unsatisfactory Performance Procedures in Northern Ireland – Update Following Consultation Exercise

The Committee noted information from the Department of Justice on the outcome of a targeted consultation on two sets of draft regulations and one set of draft rules to reform the discipline and unsatisfactory performance procedures for the PSNI.

12. Reform of Civil and Criminal Legal Aid

The Committee noted a response from the Department of Justice in relation to the issues raised in the written submissions received by the Committee from stakeholders on the implications and likely overall impact on access to justice of the whole package of proposed changes to civil and criminal legal aid.

1.25 p.m. Mr Jim Wells left the meeting

13. Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill – Arrangements for Oral Evidence Sessions (continued)

The Committee considered a draft programme for an informal meeting with the Houses of the Oireachtas Joint Committee on Justice, Defence and Equality in relation to its Report on a Review of Legislation on Prostitution.

Agreed: The Committee agreed the draft programme for the meeting which will take place on Thursday 23 January 2014.

14. Draft Forward Work Programme for January 2014

The Committee discussed a draft Forward Work Programme for January 2014.

Agreed: The Committee agreed that the oral evidence sessions in relation to the Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill should be scheduled for January 2014 and that all other non-urgent oral briefings should be deferred until February 2014.

15. Correspondence (Continued)

- i. The Committee noted correspondence from the Department of Justice advising that information regarding the drugs problem in prisons, requested by the Committee at the oral evidence session with NI Prison Service officials at the meeting on 17 October, was being prepared and would be provided in the near future.
- ii. The Committee noted correspondence from the Department of Justice advising that a response requested by the Committee regarding Action Mental Health courses in HM Prison Maghaberry was being prepared and would be provided as soon as possible.
- iii. The Committee considered a response from the Department of Justice regarding how the NI Prison Service and South Eastern Health and Social Care Trust could link with the Educational Shakespeare Company programme.

Agreed: The Committee agreed to forward a copy of the response to the Educational Shakespeare Company and the Committee for Health, Social Service and Public Safety for information.

- iv. The Committee noted a response from the Department of Justice providing clarification of its role in relation to the Independent Inquiry into Child Sexual Exploitation in Northern Ireland.
- v. The Committee noted correspondence from the Committee for the Office of the First Minister and deputy First Minister regarding the drafting instructions for the preparation of a Northern Ireland Public Services Bill to include combining the powers of the Northern Ireland Judicial Appointments Ombudsman with that of the proposed Northern Ireland Public Services Ombudsman and restrictions regarding eligibility for appointment.
- vi. The Committee considered correspondence from Roy Beggs MLA advising of his intention to introduce a Private Members' Bill to further regulate scrap metal dealers and providing a copy of his consultation document.

Agreed: The Committee agreed to request the views of the Department of Justice on the proposed Bill.

- vii. The Committee considered further correspondence from a B Brewster regarding concerns about the actions of child protection social workers and the lack of criminal prosecutions.

Agreed: The Committee agreed to write to B Brewster advising that the previous correspondence has been forwarded to the PSNI who would respond directly on the matter.

Agreed: The Committee agreed to forward the correspondence to the Chair of the Independent Inquiry into Child Sexual Exploitation in Northern Ireland for information.

- viii. The Committee noted correspondence from the Department of Justice providing clarification of a number of issues following the oral evidence session on the Desertcreat Training College capital project on 14 November 2013.
- ix. The Committee noted correspondence from the Department of Justice providing a further update on the proposed timetable for the Mental Capacity Bill and setting out a revised approach.

16. Chairman's Business

The Chairman advised Members that he would send Christmas cards to the main justice stakeholders on behalf of the Committee.

17. Any Other Business

None

18. Date, Time and Place of next meeting

The next meeting will take place on Thursday 9 January 2014 at 2.00 pm in Room 30, Parliament Buildings.

The meeting was adjourned at 1.32 p.m.

Mr Paul Givan MLA
Chairman, Committee for Justice

9 January 2014