



COMMITTEE FOR JUSTICE

MINUTES OF PROCEEDINGS

THURSDAY 13 FEBRUARY 2014
Long Gallery and Room 30, 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 Jim Wells MLA

In Attendance: Mrs Christine Darrah (Assembly Clerk)
Ms Marie Austin (Assistant Assembly Clerk)
Mrs Roisin Donnelly (Assistant Assembly Clerk)
Mrs Julie Devlin (Clerical Supervisor)
Miss Leanne Johnston, (Clerical Supervisor)
Miss Marianne Doherty (Clerical Officer)

Apologies: Mr Patsy McGlone MLA

The meeting commenced at 12.20 p.m. in the Long Gallery in public session.

On behalf of the Committee the Chairman thanked Julie Devlin who was moving to another post in the Assembly for her work for the Committee and welcomed Leanne Johnston who had joined the Committee team.

1. Apologies

Apologies are detailed above.

2. Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill – Oral Evidence Event

The Chairman welcomed the witnesses to the meeting and outlined the structure of the evidence session.

The Chairman invited the witnesses to outline issues in relation to the clauses in the Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill and Members asked questions.

Clause 1: Definition of Human Trafficking and Slavery Offences

Ursula O'Hare and Liz Griffith, Law Centre NI, Gregory Carlin, and Parosha Chandron raised a number of issues regarding Clause 1 of the Bill.

Clause 2: Consent irrelevant for victim of human trafficking or slavery offences

Gregory Carlin, Parosha Chandron, and Richard Kerr, Presbyterian Church in Ireland raised a number of issues regarding Clause 2 of the Bill.

Clause 4: Minimum sentence for human trafficking and slavery offences

Lindsay Conway, Presbyterian Church in Ireland, David Smyth, Evangelical Alliance, and Geraldine Hanna, Victim Support raised a number of issues regarding Clause 4 of the Bill.

Clause 7: Requirements and resources for investigation or prosecution

Gregory Carlin, and Andrea Matolcsi, Equality Now raised a number of issues regarding Clause 7 of the Bill.

Clause 8: Non-prosecution of victims of trafficking in human beings

Parosha Chandron, David Smyth, Evangelical Alliance, and Gregory Carlin raised a number of issues regarding Clause 8 of the Bill.

Clauses 9, 10 and 11: Victim of trafficking in human beings; Requirements for assistance and support; Compensation for victims of trafficking

Dorothy Dickson, Victim Support, Liz Griffith, Law Centre NI, David Smyth, Evangelical Alliance, Richard Kerr, Presbyterian Church in Ireland, and Parosha Chandron raised a number of issues regarding Clauses 9,10 and 11 of the Bill.

Clause 12: Child trafficking guardian

Ursula O'Hare, Law Centre NI, Lindsay Conway, Presbyterian Church in Ireland, and David Smyth, Evangelical Alliance raised a number of issues regarding Clause 12 of the Bill.

Clauses 13: Protection of victims in criminal investigations

Liz Griffith, Law Centre NI, and Gregory Carlin raised a number of issues regarding Clause 13 of the Bill.

Clause 15: Prevention

David Smyth, Evangelical Alliance, Gregory Carlin, and Parosha Chandron raised a number of issues regarding Clause 15 of the Bill.

Clause 16: Northern Ireland Rapporteur

Liz Griffith, Law Centre NI, and Parosha Chandron raised a number of issues regarding Clause 16 of the Bill.

Clause 6: Paying for sexual services of a person

Pam Hunter, Nexus, Ruth Breslin, Eaves, Andrea Matolcsi, Equality Now, Gillian Clifford, Victim Support, Reverend Norman Hamilton, Presbyterian Church in Ireland, David Smyth, Evangelical Alliance, and Gregory Carlin raised a number of issues regarding Clause 6 of the Bill.

The Chairman thanked the witnesses for their evidence.

The meeting was suspended at 3.26 p.m.

The meeting resumed at 3.36 p.m. in Room 30 in public session.

3. Draft minutes of the meetings held on 4 February 2014 and 6 February 2014

The Committee approved the draft minutes of the meetings held on 4 February 2014 and 6 February 2014.

4. Matters Arising

- i. The Committee noted a copy of the advice from the Equality Commission on the Review of the Criteria for the Appointment of the Chief Constable of the PSNI which had been provided by the Minister of Justice following the meeting on 4 February 2014.

3.37 p.m. William Humphrey rejoined the meeting.

- ii. The Committee noted an updated Forward Work Programme for February 2014.

Agreed: The Committee agreed that the briefing by the Prison Governors' Association on the Prison Reform Programme should be scheduled before the end of March 2014 to ensure the availability of key personnel.

3.38 p.m. Stewart Dickson rejoined the meeting.

5. Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill – Timetable for Committee Stage

The Committee noted the timetable for the Committee Stage of the Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill and the oral evidence sessions and informal meetings still to take place.

Agreed: The Committee agreed to invite the Attorney General for Northern Ireland to brief the Committee on a number of technical legal points relating to the Bill.

6. Statutory Rule No. 2014/12 The Magistrates' Courts (Amendment) Rules (Northern Ireland) 2014

The Committee noted the Magistrates' Courts (Amendment) Rules (Northern Ireland) 2014 made by the Magistrates' Courts Rules Committee on 17 January 2014 which amends the Magistrates' Courts Rules (Northern Ireland) 1984 to prescribe a procedure for notifying a person of a Fine Default Hearing in respect of the enforcement of a fine.

7. Statutory Rule No. 2014/19 Police Service of Northern Ireland and Police Service of Northern Ireland Reserve Pensions (Amendment) Regulations 2014

The Committee considered Statutory Rule 2014 No.19 Police Service of Northern Ireland and Police Service of Northern Ireland Reserve Pensions (Amendment) Regulations 2014 which will implement 'Year 3' of the increase in rates of contributions payable by members of the police pension schemes governed by these Regulations.

The Committee noted a correction slip from the Department of Justice amending a printing error in the Rule.

Agreed: The Committee for Justice considered Statutory Rule 2014 No.19 Police Service of Northern Ireland and Police Service of Northern Ireland Reserve Pensions (Amendment) Regulations 2014 and agreed that it was content with the Rule.

8. Terms of Reference for a CJINI Inspection of the Policing and Community Safety Partnerships

The Committee noted a copy of the terms of reference and timescale for a Criminal Justice Inspection Northern Ireland inspection of Policing and Community Safety Partnerships which had been provided by the Department of Justice. The inspection would examine a broad set of issues around governance, performance and accountability.

9. Attorney General for Northern Ireland's Draft Guidance for the Public Prosecution Service and the Northern Ireland Prison Service on the Exercise of their Functions in a Manner Consistent with International Human Rights Standards

The Committee considered the Attorney General for Northern Ireland's Draft Guidance for the Public Prosecution Service (PPS) and for the Northern Ireland Prison Service on the Exercise of their Functions in a Manner Consistent with International Human Rights Standards as required by Section 8 of the Justice (Northern Ireland) Act 2008 and noted that both the PPS and the NI Prison Service had not raised any issues in relation to the draft guidance.

Agreed: The Committee agreed that it was content with both sets of draft guidance.

10. Department of Justice January 2014 Monitoring Round Return

The Committee noted further information provided by the Department of Justice regarding the £5.6m pressure relating to the Historical Enquiries Team and a more detailed analysis of the current position regarding the financial settlement agreed for the PSNI as part of the 2011-2015 Budget.

11. Proposals to Vary Firearms Licensing Fees and Other Miscellaneous Amendments to the Firearms (Northern Ireland) Order 2004

The Committee noted an update from the Department of Justice outlining additional work it was undertaking in relation to its review of Firearms Licensing Fees and Other Miscellaneous Amendments to the Firearms (Northern Ireland) Order 2004.

12. Northern Ireland Judicial Appointments Process and a High Court Judge Competition

The Committee noted further information provided by the NI Judicial Appointments Ombudsman following the oral evidence session on 16 January 2014.

The Committee considered further correspondence from the Lord Chief Justice, the Rt Hon Sir Declan Morgan, requesting clarification from the Committee regarding its role in relation to the Judicial Appointments Process and a High Court Judge Competition.

Agreed: The Committee agreed the outline of a response to the Lord Chief Justice on the matter.

Agreed: The Committee agreed that a date should be scheduled for the Lord Chief Justice's attendance to discuss the matter.

13. Correspondence

- i. The Committee noted a response from the Department of Justice outlining the reasons for the late submission of a Post Project Evaluation in relation to a PSNI capital project.
- ii. The Committee considered a response from the Department of Justice to its request for comments on any justice matters relating to Mr Roy Beggs MLA's proposed Private Members' Bill on Scrap Metal Theft.

Agreed: The Committee agreed to forward the Department's response to Mr Roy Beggs MLA.

- iii. The Committee noted correspondence from the Department of Justice regarding the publication of the Northern Ireland Courts and Tribunals Service quarterly statistical bulletins for October to December 2013 on civil, criminal and family business across all court tiers.
- iv. The Committee noted a response from the Lord Chief Justice's Office advising that a copy of the correspondence from a Ms Quinn regarding training for Tribunal Chairmen had been forwarded to the President of the Industrial Tribunals and the Fair Employment Tribunal who is responsible for the provision of such training and a copy of the Industrial Tribunals and the Fair Employment Tribunal for Northern Ireland's response to Ms Quinn.
- v. The Committee noted correspondence from the Committee for the Office of the First Minister and deputy First Minister providing a copy of a summary of the discussion which took place at the Joint Ministerial Committee (Europe) meeting

on 7 October 2013 attended by the Junior Ministers in the Office of the First Minister and deputy First Minister.

- vi. The Committee considered correspondence from the Committee for Finance and Personnel providing a copy of a written briefing paper prepared by the Department of Finance and Personnel on the Budget Bill (Northern Ireland) and accompanying Spring Supplementary Estimates.

Agreed: The Committee agreed to request a similar briefing paper from the Department of Justice for future Supply Resolution Debates.

- vii. The Committee considered correspondence from the Committee for Finance and Personnel seeking its views on the Northern Ireland Audit Office (NIAO) Report on Sickness Absence in the Public Sector.

Agreed: The Committee agreed to request a response from the Department of Justice on the relevant aspects of the report following which consideration would be given to whether a briefing from NIAO officials should be scheduled.

- viii. The Committee noted a response from the Chief Commissioner of the Parole Commissioners for Northern Ireland to a request during the oral evidence session on 21 November 2013 for information in relation to the recall or revocation of licences in conflict-related cases.

- ix. The Committee considered a copy of correspondence from Lisburn City Council to the Secretary of State for the Home Office regarding a resolution passed by the Council at its meeting on Tuesday 28 January 2014 regarding the death and serious injury caused by an alleged use of a Class A drug known as Ecstasy over the Christmas period and calling on the Minister of Justice and the Secretary of State for the Home Office to review the Misuse of Drugs Act 1971.

Agreed: The Committee agreed to request a copy of the response from the Minister of Justice to Lisburn City Council on the matter.

- x. The Committee considered additional correspondence from a Mr McHugh regarding alleged maladministration by the Northern Ireland Court Service and inaction by the Department of Justice.

Agreed: The Committee agreed to forward Mr McHugh's correspondence to the Department of Justice and request that it responds directly on the issues raised.

- xi. The Committee considered a copy of correspondence from a Mr and Mrs Shaw to Mr Jeffrey Donaldson MP regarding civil proceedings over a shared right of way and the conduct of a Judge.

Agreed: The Committee agreed to forward a copy of Mr and Mrs Shaw's correspondence to the Office of the Lord Chief Justice and ask it to respond directly on the issues raised that fall within its responsibilities.

- xii. The Committee noted a copy of the Northern Ireland Law Commission Annual Report for the year ended 31 March 2013.
- xiii. The Committee noted correspondence from the Department of Justice regarding a decision by the Information Commissioner's Office to levy a Monetary Penalty Notice on the Department for a data breach by the Compensation Agency in 2012.
- xiv. The Committee noted the Criminal Justice Inspection Northern Ireland report on Forensic Science Northern Ireland that was published on 13 February 2014.
- xv. The Committee noted an invitation from NIACRO to a debate on '*Prison Councils and Safer Prisons – Benefits and Challenges*' on Thursday 20 February 2014.

Agreed: The Committee agreed that Members should advise the Clerk if they wished to attend the briefing.

- xvi. The Committee considered correspondence from Radox Testing Services regarding the nature of drug abuse in Northern Ireland prisons and the procurement process for the provision of drug testing and requesting a meeting with Members of the Committee to discuss the matter.

Agreed: The Committee agreed to request the comments of the Minister of Justice on the issues raised.

Agreed: The Committee agreed that a meeting between the Chairman and representatives of Radox to discuss the issues raised should be arranged to which all other Committee Members would be invited.

14. Chairman's Business

- i. The Chairman advised the Committee that he had received an invitation from Mr William Hay MLA, to a reception to celebrate the work of the Assembly Business Trust on Thursday 27 February in Parliament Buildings which he hoped to attend if available.
- ii. The Chairman informed the Committee that, as agreed, he and the Deputy Chairman had met with the Chief Inspector of Criminal Justice Northern Ireland to discuss a possible role for CJINI in providing an independent assessment of the likely impact of changes to civil legal aid. The discussion had been productive and a paper on options would be prepared for discussion by the Committee at a future meeting.
- i. The Chairman informed the Committee that the Minister of Justice had written requesting a meeting with him and the Deputy Chairman to discuss the contents of the Legal Aid and Coroners' Court Bill which he intends to seek permission from the Executive to introduce in March 2014. Arrangements would be made for the meeting to take place.

15. Any Other Business

None.

16. Date, Time and Place of next meeting

The next meeting will take place on Thursday 20 February 2014 at 2.00 p.m. in Room 30, Parliament Buildings.

The meeting was adjourned at 3.55 p.m.

Mr Paul Givan MLA
Chairman, Committee for Justice