



## COMMITTEE FOR JUSTICE

### MINUTES OF PROCEEDINGS

THURSDAY 26 SEPTEMBER 2013  
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 Seán Lynch MLA  
Mr William Humphrey 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 Roisin Donnelly (Assistant Assembly Clerk)  
Mrs Julie Devlin (Clerical Supervisor)  
Miss Marianne Doherty (Clerical Officer)

*The Committee agreed to meet in closed session to consider item 1 under Matters Arising.*

*The meeting commenced at 2.04 p.m. in closed session.*

#### **1. Matters Arising**

- i. The Committee discussed a response to its request for information relating to the investigation into the sexual exploitation of children and young people from care homes.

*2.07 p.m. Mr Stewart Dickson joined the meeting.*

Agreed: The Committee agreed to invite representatives of the organisation to a meeting of the Committee, to be held in closed session, to discuss the matter further.

*The meeting moved into public session at 2.10 p.m.*

## **2. Apologies**

None.

## **3. Draft minutes of the meeting held on 19 September 2013**

The Committee approved the draft minutes of the meeting held on 19 September 2013.

## **4. Matters Arising (continued)**

ii. The Committee considered changes to the Forward Work Programme.

*Agreed:* The Committee agreed that the oral briefing by departmental officials on the implementation of the Youth Justice Review should be rescheduled from 10 October to a later date when the Criminal Justice Inspection follow-up report on this issue will be available.

iii. The Committee considered proposals for the handling of the Committee Stage of the Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill including a draft Bill timetable, a draft media sign-posting notice, a draft letter seeking evidence on the Bill and a list of key stakeholders.

*Agreed:* The Committee agreed that the consultation period for the Bill should last 4 weeks with a closing date for written evidence of 1 November 2013.

*Agreed:* The Committee agreed the media sign-posting notice, the list of key stakeholders, and the letter to be sent seeking written evidence on the Bill.

*Agreed:* The Committee agreed that a copy of the written submissions received should be provided to Lord Morrow MLA.

*2.17 p.m. Mr Tom Elliott joined the meeting.*

## **5. Her Majesty's Inspectorate of Constabulary Report 'Inspection of the Police Service of Northern Ireland Historical Enquiries Team' – Department of Justice response to the Report findings and update on recommendations**

The Minister of Justice, Mr David Ford MLA, Louise Warde Hunter, Head of Policing Policy and Strategy Division and Mandy Morrison, Head of Legacy Branch, Policing Policy and Strategy Division, Department of Justice joined the meeting at 2.17 p.m.

The Minister outlined his response to the HMIC Report on the Inspection of the PSNI Historical Enquiries Team and updated the Committee on changes to the Extradition Act 2003 relating to the introduction of a Forum Bar in Extradition Cases and the UK Government's 2014 Block Opt-Out Decision.

A question and answer session followed covering issues including:

### **HMIC Report ‘*Inspection of the PSNI Historical Enquiries Team*’**

The level of casework to be undertaken by the HET each month, and the likely resource implications; the timescale regarding when the HET will be ‘fit for purpose’; whether resources will be provided to ensure the HET can complete its work; whether there are plans for a follow-up report; the responsibilities of the Department of Justice in relation to the HET; measures being taken to restore public confidence; the external validation of future reports; the current position regarding the new management team; the roles of the Policing Board and the Chief Constable; the status of HET employees; the role of the Policing Board working group tasked with overseeing the implementation of the report recommendations and how it will be the mechanism for an independent oversight panel;

*2.44 p.m. Mr Patsy McGlone joined the meeting.*

what the impact has been on reports already produced; the rationale for the narrow remit of the HMIC report; whether Professor Lundy’s report should have been acted upon earlier; whether there is work to be done in relation to Article 2 compliance; when HET reports will recommence;

*2.56 p.m. Mr William Humphrey joined the meeting.*

### **Changes to the Extradition Act 2003 - Introduction of a Forum Bar in Extradition Cases and the UK Government’s 2014 Block Opt-Out Decision**

The likely implications for Northern Ireland of the UK Government’s 2014 Block Opt-Out decision; whether the proposed changes to the Extradition Act would mitigate against the potential loss of the European Arrest Warrant (EAW); the implications if there is a deficit in relation to the EAW; the use of the EAW over the past year and the type of offences involved in the extradition cases; the position in Scotland regarding the introduction of a forum bar in extradition cases; the level of understanding of the UK Government to the specific and unique issues in Northern Ireland; and the likely legislative changes needed.

*2.54 p.m. Mr Raymond McCartney left the meeting.*

*2.59 p.m. Mr Alban Maginness left the meeting.*

The briefing was recorded by Hansard.

The Chairman thanked the Minister of Justice and his officials for the briefing and they left the meeting.

*Agreed:* The Committee agreed to write to the Home Secretary outlining its concerns regarding the implications for Northern Ireland of the decision to exercise the 2014 opt-out of the pre-Lisbon Treaty police and criminal justice measures.

*3.04 p.m. Ms Rosaleen McCorley left the meeting.*

*The Committee agreed to bring forward Agenda Item 12.*

## 6. Correspondence

- i. The Committee noted correspondence from the Department of Justice advising of the publication of the Official Statistics Bulletin 7/2013 '*Northern Ireland Conviction and Sentencing Statistics 2009*'.
- ii. The Committee considered correspondence from an individual regarding the treatment of a family member who was a victim of serious crime whilst a minor and of the victim's family by the criminal justice system.

*Agreed:* The Committee agreed to write to the criminal justice organisations named by the individual and request that they respond to the individual on the issues raised and provide a copy of the response to the Committee.

*Agreed:* The Committee agreed to write to the individual providing a copy of the Committee's report on its Inquiry into the Criminal Justice Services Available to Victims and Witnesses of Crime in Northern Ireland and an update on the outworkings of this report which are relevant to the family's experience.

- iii. The Committee noted correspondence from the Probation Board for Northern Ireland advising of the appointment of Cheryl Lamont as the Acting Director from 2 September 2013.
- iv. The Committee considered an invitation from Forensic Science for Northern Ireland to the launch of the FSNI Transformation Programme on 9 October 2013.

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

- v. The Committee considered invitations from Prison Reform Events to breakfast seminars on 16, 17 and 21 October 2013 on Health: Delivering in Prisons, Young People in Prison and Women and Families: Understanding the needs.

*Agreed:* The Committee agreed that Members should advise the Clerk if they wished to attend any of the seminars.

*3.06 p.m. Mr Raymond McCartney joined the meeting.*

## 7. Briefing by representatives of the Ulster Clay Pigeon Shooting Association and the Northern Ireland Federation of Shooting Sports on Firearms Legislation issues

Clifford Barr, Chairman, and Jeff McCready, Development Director, Ulster Clay Pigeon Shooting Association, joined the meeting at 3.06 p.m.

*3.14 p.m. Mr Alban Maginness joined the meeting.*

Mr Barr outlined the position of the Ulster Clay Pigeon Shooting Association on the Department of Justice's proposals to vary firearms licencing fees and other miscellaneous amendments to the Firearms (Northern Ireland) Order 2004.

*3.24 p.m. Ms Rosie McCorley joined the meeting.*

A question and answer session followed covering issues including: the UCPSA's position on the proposed fee increase and the policy of full cost recovery; the threshold for requisite experience required to supervise young shooters; the assessment of relevant experience required; the anticipated impact of the fee increase on the numbers of firearms licences held; the age at which UCPSA recommend young people should be able to take up clay pigeon shooting; the likely implications of the proposals on young shooters; the rationale for the recommendation of a phased introduction of the fee increase; the period of time covered by firearms certificate; the cost of involvement in shooting sports; and the position in other jurisdictions regarding the participation of young people in clay pigeon shooting.

The briefing was recorded by Hansard.

The Chairman thanked the representatives for the briefing and they left the meeting.

*Agreed:* The Committee agreed to write to the Department of Justice to request the current position in relation to the banding proposals and clarification regarding whether the minimum age relates to participation in shooting sports or the granting of a firearms licence.

*3.42 p.m. Mr Stewart Dickson left the meeting.*

## **8. Policy proposals for the Future Regulation of the Private Security Industry**

Steven McCourt, Head of Operations Branch, and Clare Brady and Judith Logan, Operations Branch, Policing and Organised Crime Division, Department of Justice, joined the meeting at 3.42 p.m.

Mr McCourt outlined the proposals for a new regulatory regime for the private security industry in Northern Ireland.

A question and answer session followed covering issues including: an indication of the differential in fees to be applied; the impact on individual fees; whether the cost of licences are based on full cost recovery; proposed penalties for breaches of the licence conditions; and the current regulatory provision for private investigation activities.

*3.54 p.m. Mr Sydney Anderson left the meeting.*

*3.56 p.m. Mr Raymond McCartney left the meeting.*

The briefing was recorded by Hansard.

The Chairman thanked the officials for the briefing and they left the meeting.

The Committee noted the current proposals for a new regulatory regime for the private security industry in Northern Ireland and that the Department of Justice would provide further detailed information on the fees and how enhanced operability with the Republic of Ireland will work in due course.

*Agreed:* The Committee agreed to request information on the current regulations that apply to private investigation activities in Northern Ireland.

#### **9. SR 2013 No. 214 The Access to Justice (Membership of the Northern Ireland Legal Services Commission) Order (Northern Ireland) 2013**

The Committee considered SR 2013/214 The Access to Justice (Membership of the Northern Ireland Legal Services Commission) Order (Northern Ireland) 2013 which will reduce the minimum and maximum number of members (other than the Chair) of the Northern Ireland Legal Services Commission.

*Agreed:* The Committee for Justice considered Statutory Rule 2013/214 The Access to Justice (Membership of the Northern Ireland Legal Services Commission) Order (Northern Ireland) 2013 and agreed that it was content with the Rule.

#### **10. SL1: Proposed Amendments to the Legal Aid (Assessment of Resources) Regulations (Northern Ireland) 1981**

The Committee considered a proposal by the Department of Justice to make a Statutory Rule to change how the Legal Aid Assessment Office calculates a person's disposable income and consequently the contribution they have to make to the legal aid fund. The regulations will provide that, if the person concerned is not a householder, the cost of his keep (defined as meaning the provision of food, heat, electricity and other daily essentials) shall be taken into account when determining the financial eligibility of a person applying for legal aid.

*Agreed:* The Committee agreed that it was content with the proposed Statutory Rule.

#### **11. Department of Justice October 2013 Monitoring Round**

The Committee noted information provided by the Department of Justice on the 2013 October Monitoring Round and the main pressures identified five months into the financial year.

*4.02 p.m. Mr Sydney Anderson joined the meeting.*

*4.02 p.m. Mr Raymond McCartney joined the meeting.*

*Agreed:* The Committee agreed to discuss the legal aid pressures with departmental officials at the next meeting on 3 October 2013 when they would be attending to discuss the proposals on publicly funded representation in the Civil and Family Courts.

## **12. EU Pre-Lisbon Police And Criminal Justice Measures - 2014 Block Opt-Out Decision**

The Committee noted an update provided by the Department of Justice on the likely implications for Northern Ireland of the UK's 2014 Block Opt-Out Decision.

*Agreed:* The Committee agreed to provide a copy of the letter to the Home Secretary to the House of Lords Select Committee that had reopened its inquiry into the issue.

## **13. Chairman's Business**

None.

## **13. Any Other Business**

None.

## **14. Date, Time and Place of next meeting**

The next meeting will take place on Thursday 3 October 2013 at 2.00 p.m. in Magee College, Derry/Londonderry.

*The meeting was adjourned at 4.05 p.m.*

Mr Paul Givan MLA  
Chairman, Committee for Justice

3 October 2013