



COMMITTEE FOR JUSTICE

MINUTES OF PROCEEDINGS

THURSDAY 27 MARCH 2014
Room 30, Parliament Buildings

Present: Mr Paul Givan MLA (Chairman)
Mr Raymond McCartney MLA (Deputy Chairman)
Mr Sydney Anderson MLA
Mr Seán Lynch MLA
Ms Rosaleen McCorley MLA
Mr Patsy McGlone MLA
Mr Jim Wells MLA

In Attendance: Mrs Christine Darrah (Assembly Clerk)
Mrs Marie Austin (Assistant Assembly Clerk)
Miss Leanne Johnston (Clerical Supervisor)
Miss Marianne Doherty (Clerical Officer)

Apologies: Mr Stewart Dickson MLA
Mr Tom Elliott MLA
Mr William Humphrey MLA
Mr Alban Maginness MLA

The meeting commenced at 2.05 p.m. in public session.

1. Apologies

Apologies are detailed above.

2. Draft minutes of the meeting held on 20 March 2014

The Committee approved the draft minutes of the meeting held on 20 March 2014.

2.08 p.m. Mr Seán Lynch joined the meeting.

2.08 p.m. Ms Rosaleen McCorley joined the meeting.

3. Matters Arising

- i. The Committee noted an up-dated Forward Work Programme for the period to 11 April 2014 and that following Easter Recess the weekly Committee for Justice meeting would move to a Wednesday at 2.00 p.m. in Room 21.
- ii. The Committee noted correspondence from the Department of Justice on an issue raised with departmental officials during the oral evidence session on the Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill on 6 March 2014.

4. Prison Reform Programme – Evidence from the Prison Governors’ Association

Governor Pat Maguire, Chairperson, and Governor Pat Gray, Secretary, Prison Governors’ Association joined the meeting at 2.06 p.m.

Governor Maguire outlined the role and remit of the Prison Governors’ Association.

A detailed question and answer session on the Prison Reform Programme followed covering issues including: whether reprofiling of the Target Operating Model (TOM) has addressed the issues raised in relation to staffing levels and lock downs; whether the Prison Governors’ Association (PGA) had raised any concerns with senior management regarding the initial profiling exercise; whether the PGA is confident that the reprofiling exercise will ensure the TOM is now designed to achieve the right result; the Prison Reform Programme and whether it has advanced how the prisons operate in a positive manner; how recent significant personnel changes have impacted on the operation of prisons; the performance of new recruits; the ratio of prison officers to prisoners and the associated risk assessment process; the current relationship between the PGA and senior management; whether the current regime is sufficiently flexible to adapt to changes in the operating model; the short term/long term performance indicators for the Prison Reform Programme; the PGA’s initial involvement in the process of change and the lack of communication by senior management; how continuity can be ensured during periods of reform; the content and timing of training and development for newly promoted prison staff and how this has improved; the criteria for the appointment of Prison Governors and the availability of local talent; how poor performance is dealt with in the Prison Service; the progress that has been made to improve healthcare provision, including support for prisoners with mental health issues, within prisons; the impact of the large number of new recruits joining the organisation on existing prison staff; the current morale of staff and any issues with morale in the past; the arrangements for moving staff to different areas within prisons; whether particular duties/areas of work have an impact on staff morale and sickness levels; the challenges associated with managing the women’s prison and the proposals for new female accommodation; the increasing tension in Roe House, HMP Maghaberry and its impact on staff morale; and the support available for staff in Roe House.

Agreed: The Committee agreed that the next oral briefing with Prison Service officials on the Prison Reform Programme would provide an opportunity to discuss the issues raised.

The briefing was recorded by Hansard.

The Chairman thanked the officials and they left the meeting

3.29 p.m. Mr Patsy McGlone left the meeting.

5. Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill – Clause-by-Clause Consideration

The Committee continued its consideration of the clauses of the Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill and agreed to seek clarification on a number of issues. A number of clauses were identified as requiring further discussion.

Agreed: The Committee agreed to seek clarification from Lord Morrow, Bill Sponsor, on his position on his proposed amendments to Clause 6 to change ‘person’ to ‘prostitute’ following comments made by the Attorney General.

Agreed: The Committee agreed to seek confirmation from Lord Morrow, Bill Sponsor regarding whether he intends to carry out an Equality Impact Assessment on the Bill.

Agreed: The Committee agreed to continue its consideration of the Bill at the meeting on 3 April and schedule a meeting on Tuesday 8 April 2014 to complete its formal clause-by-clause consideration of the Bill.

6. Access to Justice Review – Six Month Update on Review Recommendations

The Committee considered a progress report provided by the Department of Justice on the implementation of the Access to Justice Review recommendations, an analysis of the savings from changes to criminal legal aid and details of the suggested refocusing of the programme for the next 12 to 18 months, and noted that there was slippage on a number of the projects.

Agreed: The Committee agreed to schedule an oral briefing with departmental officials on the implementation of the Access to Justice Review recommendations.

7. Public Service Pensions Act (Northern Ireland) 2014 – Section 30

The Committee considered information from the Department of Justice advising that the provision included in the Public Service Pensions Act (Northern Ireland) 2014 to allow widows and civil partners of the 1988 RUC Pensions Scheme (as amended) to retain pension rights if they remarry, enter into a civil partnership or cohabit, would benefit survivors of that Pension Scheme only and not those of preceding schemes and noted that the Minister of Justice had therefore asked officials to take steps to extend the provision to earlier schemes through an amendment to secondary legislation.

Agreed: The Committee agreed to request clarification from the Department of Justice of the meaning of the term ‘cohabit’ in relation to widows’ and civil partners’ pension rights under the Scheme.

8. Judicial Pensions

The Committee noted a further update from the Department of Justice on the current position in relation to judicial pensions and in particular the O’Brien litigation, the implications and possible financial liabilities for the Department and the position regarding the Northern Ireland Industrial Tribunal cases.

9. Correspondence

- i. The Committee noted correspondence from the Attorney General for Northern Ireland advising that he had laid his draft human rights guidance for the Northern Ireland Prison Service before the Assembly in accordance with section 8(3)(b) of the Justice (Northern Ireland) Act 2004 and would bring forward the related Statutory Rule to bring the Guidance into operation in due course.
- ii. The Committee noted correspondence from the Attorney General for Northern Ireland advising that he had laid his draft human rights guidance for the Public Prosecution Service before the Assembly in accordance with section 8(3)(b) of the Justice (Northern Ireland) Act 2004 and would bring forward the related Statutory Rule to bring the guidance into operation in due course.
- iii. The Committee noted correspondence from the Committee for Finance and Personnel enclosing a copy of correspondence from the Department of Finance and Personnel on procurement contracts for drug testing services in the Northern Ireland Prison Service.

Agreed: The Committee agreed to note the information and consider the matter further when the response from the Department of Justice on the issue is received.

- iv. The Committee noted correspondence from the Committee for Regional Development advising that it had invited the Police Service of Northern Ireland to give evidence on the Road Traffic (Speed Limits) Bill at its Committee meeting on 30 April 2014.
- v. The Committee noted a copy of further correspondence provided by Patsy McGlone MLA regarding a recent animal cruelty court case and offences created by the Welfare of Animals Act (Northern Ireland) 2011.
- vi. The Committee noted correspondence from a Mrs Campbell regarding proposed reductions to the Prison Chaplaincy arrangements and the likely impact this would have on prisoners and programmes such as “Family Matters”.

Agreed: The Committee agreed that a meeting between the Prison Service Director of Rehabilitation and the Chairman and Deputy Chairman should be arranged to discuss the issue and the Director should be asked to provide a written briefing paper.

- vii. The Committee noted the publication of the Youth Justice Agency Statistical Bulletin No 1/2014 on workload statistics 2012/13.
- viii. The Committee considered the Criminal Justice Inspection Report on Securing Attendance at Court, a Follow-Up Review of Inspection Recommendations.

Agreed: The Committee agreed to request information from the Department of Justice on what action is being taken to address the issues and concerns raised in the report.

10. Chairman’s Business

- i. The Chairman advised Members that both he and the Deputy Chairman had received an invitation from the Chairman of the Committee for the Office of the First Minister and deputy First Minister to a lunch event for a delegation from the European

Economic and Social Committee on Thursday 3 April 2014 but unfortunately he would be unable to attend.

- ii. The Chairman advised Members that a Freedom of Information request had been received for a copy of all correspondence between the Committee for Justice and the Office of the Lord Chief Justice in relation to the Northern Ireland Judicial Appointments Commission, and in particular the evidence given to the Committee by Judge Desmond Marrinan.

11. Any Other Business

- i. The recent media reports on the recording of telephone calls to and from An Garda Síochána stations in the Republic of Ireland was discussed and issues were raised including seeking assurances that no facility to do this exists or has existed in Northern Ireland and that disclosure of the telephone records to tribunals or investigations, such as the Smithwick Tribunal, where there are implications for Northern Ireland, has taken place.

Agreed: The Committee agreed to seek an assurance from the Minister of Justice that the practice in the Republic of Ireland of recording telephone calls to and from An Garda Síochána stations is not happening and has not happened in PSNI stations in Northern Ireland.

Agreed: The Committee agreed to ask the Minister of Justice to confirm that he is seeking an assurance from the Republic of Ireland authorities that any information that was held on the tape recordings has been made available to the appropriate tribunals and investigations where there was implications for Northern Ireland.

12. Date, Time and Place of next meeting

The next meeting will take place on Thursday 3 April 2014 at 2.00 p.m. in Room 30, Parliament Buildings.

The meeting was adjourned at 4.07 p.m.

Mr Paul Givan MLA
Chairman, Committee for Justice