



**Northern Ireland
Assembly**

COMMITTEE FOR JUSTICE

MINUTES OF PROCEEDINGS

WEDNESDAY 7 MAY 2014
Room 21, Parliament Buildings

Present: Mr Paul Givan MLA (Chairman)
Mr Raymond McCartney MLA (Deputy Chairman)
Mr Sydney Anderson MLA
Mr Stewart Dickson MLA
Mr William Humphrey MLA
Ms Rosaleen McCorley 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 Tom Elliott MLA
Mr Seán Lynch MLA
Mr Patsy McGlone MLA
Mr Alban Maginness MLA
Mr Jim Wells 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 30 April 2014

The Committee approved the draft minutes of the meeting held on 30 April 2014.

3. Matters Arising

- i. The Committee noted the Forward Work Programme for May to July 2014 and the proposed arrangements for a Legislative Workshop facilitated by Mr Daniel Greenberg.

Agreed: The Committee agreed to consider further judicial issues for discussion with the Lord Chief Justice when he attends the Committee meeting on 4 June 2014 and finalise the list at the meeting on 14 May 2014.

- ii. The Committee noted an updated timeline for the Committee Stage of the Legal Aid and Coroners' Courts Bill and further information provided by the Department of Justice regarding the delay in bringing forward the provisions to make the Lord Chief Justice the President of the Coroners' Courts and Keeling Schedules for the Bill which show the Legal Aid legislation as it would appear following enactment of the Bill.

4. Youth Justice Review – Changes to Custodial Arrangements for Children

Ms Karen Pearson, Deputy Director, Reducing Offending Division, Department of Justice, Ms Paula Jack, Chief Executive, Youth Justice Agency and Ms Kiera Lloyd, Head of Youth Justice Unit, Reducing Offending Division, Department of Justice joined the meeting at 2.10 p.m.

Mr Stewart Dickson joined the meeting at 2.15 p.m.

Ms Pearson outlined the results of the consultation and the Department's proposals on the way forward relating to custodial arrangements for children.

A question and answer session followed covering issues including: the types of offences considered as 'less serious'; the number of children aged 13 and under who have received custodial sentences for less serious offences and the duration of those sentences; the rationale for the removal of the 'exceptional circumstances' clause; the strategies to prevent reoffending; the comparative experiences of those held in custody in Woodlands and Hydebank Wood Young Offenders Centre (YOC); the success of the supervision/support in the community element; the extent of drug abuse in Woodlands; the day and night time ratio of staff to children and young people in custody; the timeline for the introduction of the changes to custodial arrangements; the improved outcomes for children and young people; the prospect of employment for young people leaving custody; the transitional arrangements for the transfer of young people from Woodlands to the YOC; and whether Woodlands has been successful in meeting its aims and objectives.

The briefing was recorded by Hansard.

The Chairman thanked the officials and they left the meeting.

5. SL1 – Police and Criminal Evidence (1989 Order) (Codes of Practice) (Revision of Codes C and H) Order (Northern Ireland) 2014

The Committee considered a proposal by the Department of Justice to make a Statutory Rule to revise PACE Codes of Practice C and H which deal with the detention, treatment and questioning of persons detained under PACE and the Terrorism Act to ensure that Northern Ireland is compliant with the EU Directive on the Right to Information in Criminal Proceedings.

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

6. Update on the Department of Justice Future Legislative Programme

The Committee noted the Department of Justice's planned primary and subordinate legislative programme for 2014/15 and 2015/16.

7. Correspondence

- i. The Committee noted correspondence from the Department of Justice on the offences applicable to Northern Ireland in the Westminster Finance Bill 2014.
- ii. The Committee considered a response from the Department of Justice on the Investment Strategy Project Delivery Portal.

Agreed: The Committee agreed to forward the Department's response to the Committee for Finance and Personnel for information.

- iii. The Committee noted correspondence from the Attorney General for Northern Ireland advising that he had laid his Human Rights Guidance issued under Section 8 of the Justice (Northern Ireland) Act 2004 for the Northern Ireland Prison Service in relation to Prison Order and Discipline.
- iv. The Committee considered a response from the Director of Public Prosecutions regarding a recent animal cruelty case and the sentence imposed.

Agreed: The Committee agreed to forward the response to the Minister of Justice and request details of the criteria that currently applies to enable the Director of Public Prosecutions to appeal a sentence on the grounds of leniency and what mechanisms exist to ensure that such offences can be included in the statutory category of offences for which the Director of Public Prosecutions can consider exercising his power under the Criminal Justice Act 1988 as being unduly lenient.

- v. The Committee noted correspondence from the Lord Chief Justice to the Minister of Justice regarding the retirement of Lord Justice Higgins on 31 August 2014 and the arrangements to fill the vacancy.
- vi. The Committee noted correspondence from the Committee for Agriculture and Rural Development providing a copy of a response from the PSNI regarding rural crime.
- vii. The Committee noted correspondence from the Committee for Finance and Personnel providing a copy of the provisional timetable for the Executive's in-year monitoring rounds for 2014 – 2015.
- viii. The Committee noted correspondence from the Committee for Finance and Personnel regarding procurement contracts in the NI Prison Service.
- ix. The Committee considered correspondence from three individuals regarding the PSNI Equal Pay Claim.

Agreed: The Committee agreed to send the correspondence to the Department of Justice, the Northern Ireland Office, the Northern Ireland Policing Board and the PSNI.

- x. The Committee noted a copy of Edition Two of the Prison Reform newsletter 'PRT News'.
- xi. The Committee considered correspondence from PlayBoard Northern Ireland requesting a meeting to discuss its 'Let us Play' Campaign which aims to achieve an improved level of recognition for the importance of play across government and wider society.

Agreed: The Committee agreed to invite PlayBoard to an informal meeting to discuss its campaign.

- xii. The Committee considered an invitation from the Pro Bono Choir to attend its Harmony for Hospice Concert on Friday 16 May 2014.

Agreed: Members agreed to advise the Clerk if they wished to attend the event.

- xiii. The Committee noted a summary of progress on the delivery of Department of Justice capital projects detailed in the ISNI Delivery Tracking System.

8. Chairman's Business

None.

9. Any Other Business

None.

10. Date, Time and Place of next meeting

The next meeting will take place on Wednesday 14 May 2014 at 2.00 p.m. in the Long Gallery, Parliament Buildings.

The meeting was adjourned at 2.47 p.m.

Mr Paul Givan MLA
Chairman, Committee for Justice