



**Northern Ireland  
Assembly**

**COMMITTEE FOR JUSTICE**

**MINUTES OF PROCEEDINGS**

THURSDAY 23 APRIL 2015  
Room 30, Parliament Buildings

Present: Mr Alastair Ross MLA (Chairman)  
Mr Raymond McCartney MLA (Deputy Chairman)  
Mr Paul Frew MLA  
Mr Alban Maginness MLA  
Mr Patsy McGlone MLA  
Mr Edwin Poots MLA

In Attendance: Mrs Christine Darragh (Assembly Clerk)  
Mr Keith McBride (Senior Assistant Assembly Clerk)  
Mrs Roisin Donnelly (Assistant Assembly Clerk)  
Ms Leanne Johnston (Clerical Supervisor)  
Ms Marianne Doherty (Clerical Officer)

Apologies: Mr Stewart Dickson MLA  
Mr Sammy Douglas MLA  
Mr Tom Elliott MLA

*The meeting commenced at 3.17 p.m. in public session.*

**1. Apologies**

As above.

**2. Draft minutes of the meeting held on 16 April 2015**

The Committee approved the draft minutes of the meeting held on 16 April 2015.

**3. Matters Arising**

- i. The Committee noted an updated Forward Work Programme for April and May 2015.

*Agreed:* The Committee agreed to hold a meeting on Tuesday 12 May 2015 to enable the informal event on business crime to take place on Thursday 14 May 2015.

3.19 p.m. Mr Paul Frew joined the meeting.

- ii. The Committee considered a draft response to the Committee on Procedures on the pilot project to test a procedure for the management of draft affirmative Statutory Rules laid by the Attorney General.

*Agreed:* The Committee agreed that it was content for the draft response to issue to the Committee on Procedures.

#### **4. Update on the Desertcreat Community Safety Training College Capital Project**

Deputy Chief Constable Drew Harris, Chair of the Programme Board, Mr Brendan Smyth, Acting Director, Central Procurement Directorate, Construction Division Health Projects, Department of Finance and Personnel, and Ms Rosemary Crawford, Deputy Director, Policing Policy and Strategy Division, Department of Justice joined the meeting at 3.20 p.m.

3.21 p.m. Mr Alban Maginness left the meeting.

Deputy Chief Constable Drew Harris outlined the current position in relation to the Desertcreat Community Safety Training College capital project.

A detailed question and answer session followed covering issues including: what was meant by the three accounting officers when they stated that the project needs to be re-framed; whether a joint training college at Desertcreat is still a realistic prospect; whether the PSNI is committed to a training college being located at Desertcreat or whether there is opposition to it; whether DFP has sought agreement from Treasury to carry forward the £30 million ring-fenced funding for the capital project into 2015/16 as part of End Year Flexibility; whether DFP has requested to carry forward the funding specifically for the training college project or more generally for use for other projects; whether the £30 million could be lost to the NI Block Grant; whether the tourism training element of the project is realistic; the reasons for the substantial decrease in identified training needs and requirements of the three services and particularly the PSNI; whether the reduction in the demand for training should have been anticipated at an earlier stage in the development of the project; whether the fire service is still committed to the capital project; whether consideration is being given to a scaled down project on an alternative site; the current position regarding the action being taken in relation to the design team and the timescale for completion of this; lessons learned from the previous procurement process and whether new procedures have been put in place to protect the project from poor cost management going forward; the next steps for the Steering Group; the cost of the tendering process and the impact on local businesses; the credibility of the project going forward; whether capacity exists to manage a more robust tendering process in the future; examples of joint training undertaken by the three services; the recommendations contained in the paper submitted to the Executive; the timescale for the completion of the Stage 2 Review and the continuation of the project; how the cost/design remit was checked during the original procurement process; the oversight of the design team's work in relation to the bill of costs; and why consideration of the location of the college is being limited to existing sites owned by the three services.

The officials agreed to provide further information on the assessment of training needs that had been completed.

The briefing was recorded by Hansard.

The Chairman thanked the officials for their attendance and they left the meeting.

*Agreed:* The Committee agreed to write to the Department of Finance and Personnel for an update on discussions with the Treasury in relation to End Year Flexibility and carryover of the £30 million funding.

#### **5. SR 2015/215 The Legal Aid for Crown Court Proceedings (Costs) (Amendment) Rules (Northern Ireland) 2015**

Mr Mark McGuckin, Deputy Director, Public Legal Services Division and Pdraig Cullen, Public Legal Services Division, Department of Justice joined the meeting at 4.16 p.m. to discuss a Statutory Rule to prescribe the remuneration payable for solicitors and counsel representing defendants granted criminal legal aid for cases in the Crown Court.

The officials answered questions from Members on issues including: how the Department intends to address the issue of ‘exceptionality’ in this Rule given the judgements in the Brownlee and Burns Cases; how the Department will address the gap caused by the implementation of the Legal Aid and Coroners’ Courts Act which unintentionally removed the Court of Appeals power to grant legal aid; the level of engagement with the Crown Court Rules Committee and how the Department addressed the concerns raised by that Committee; why the Department is proceeding with the Statutory Rule at this time given its plans to give further consideration to addressing the issue of exceptionality; how the issue relating to the Court of Appeal was identified and whether it should have been recognised earlier; the mechanisms being considered by the Department to rectify the problem and whether it will apply retrospectively; the timescale to address the issue; the changes that have been made to the Statutory Rule since the SL1 was considered by the Committee; the concerns raised by the Law Society and how these were addressed by the Department; the issues raised by Disability Action in relation to the EQIA and what consideration has been given to these by the Department; and any information the Department had on the survey by IPSOS MORI commissioned by the Bar Council.

The officials agreed to provide a written briefing paper on the issues discussed for the Committee.

The briefing was recorded by Hansard.

The Chairman thanked the officials for their attendance and they left the meeting.

*Agreed:* The Committee agreed to meet on Tuesday 28 April 2015 to consider the Statutory Rule further.

#### **6. SL1: The Crown Court (Amendment) Rules (Northern Ireland) 2015**

The Committee considered a proposal by the Department of Justice for a Statutory Rule to amend the Crown Court Rules (Northern Ireland) 1979 to provide for new court procedures in light of amendments to the Proceeds of Crime Act 2002 introduced by the Serious Crime Act 2015.

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

## **7. Strategic Framework for Reducing Offending – Progress Report**

The Committee noted a progress report from the Department of Justice providing an overview of the programmes, interventions and initiatives that have been implemented, steps being taken to evaluate early outcomes and key developments currently being taken forward to advance the strategic outcomes of the Reducing Offending Framework.

## **8. Access to Justice Review – Progress Report April 2015**

The Committee considered a progress report from the Department of Justice on implementation of the Access to Justice Review key areas to be taken forward and the projects outlined in the Departmental Action Plan 2012-15.

*Agreed:* The Committee agreed to request further information on a number of the projects in the Action Plan in which some slippage from the original timescales had occurred.

## **9. Programme for Government: Up-date on Department of Justice Commitments**

The Committee noted a progress report from the Department of Justice in relation to the seven Programme for Government commitments for which it has responsibility.

## **10. Draft Adult Safeguarding Policy – Results of the Consultation**

The Committee noted the results of the consultation on the draft Adult Safeguarding policy jointly developed by the Department of Justice and the Department of Health, Social Services and Public Safety and that the final policy will be provided in due course.

*Agreed:* The Committee agreed to consider the final draft Adult Safeguarding Policy when it is available.

## **11. Correspondence**

- i. The Committee considered a response from the Department of Justice advising that it intends to bring forward a consultation paper in the autumn in relation to the level of statutory bereavement damages in Northern Ireland.

*Agreed:* The Committee agreed to request further information from the Department on why the level of bereavement damages available in Northern Ireland had not increased in-line with England and Wales, whether there is any legal requirement to consult and if so, the nature and timescale for such a consultation.

- ii. The Committee noted a copy of correspondence from the Department of Finance and Personnel to the Committee for Finance and Personnel regarding employer and employee contributions in Public Service Pension Schemes.

- iii. The Committee noted an invitation from Mr Alban Maginness MLA on behalf of NIACRO to a Justice Series Seminar by the Director of the Scottish Violence Reduction Unit on “*Addressing Offending Behaviour and Making Communities Safer*” on 13 May 2015 in Parliament Buildings.

*Agreed:* The Committee agreed that Members should advise the Clerk if they wish to attend the seminar.

- iv. The Committee noted an invitation from the Attorney General for Northern Ireland to an event celebrating 800 years of the Magna Carta on 18 May 2015.

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

- v. The Committee noted a copy of correspondence from the Social Security Agency to a Mr J White in relation to the statutory authority to conduct interviews under caution using the Police and Criminal Evidence (Northern Ireland) Order 1989.

- vi. The Committee noted the Northern Ireland Legal Services Commission Annual Report and Financial Statements for the year ended 31 March 2014.

- vii. The Committee noted a response from the Department of Justice on the justice related issues in the Special Educational Needs and Disability Bill.

*Agreed:* The Committee agreed the content of a response to the Committee for Education on the Bill and to provide a copy of the response from the Department of Justice.

- viii. The Committee noted correspondence from the Department of Justice advising that the consultation on the interim report of the Review of the Implementation of the Welfare of Animals Act (Northern Ireland) 2011 had been extended until 21 May 2015.

## **12. Chairman's Business**

The Chairman thanked Members for attending the first Justice Committee Seminar earlier in the afternoon which had provided the opportunity for a very useful and interesting discussion on Youth Justice and possible innovative approaches.

## **13. Any Other Business**

None.

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

The next meeting will take place on Tuesday 28 April 2015 in Parliament Buildings.

*The meeting was adjourned at 4.42 p.m.*

**Mr Alastair Ross MLA**  
**Chairman, Committee for Justice**