



**Northern Ireland
Assembly**

COMMITTEE FOR JUSTICE

MINUTES OF PROCEEDINGS

TUESDAY 23 JUNE 2015
Senate Chamber, Parliament Buildings

- Present: Mr Alastair Ross MLA (Chairman)
Mr Raymond McCartney MLA (Deputy Chairman)
Mr Sammy Douglas MLA
Mr Paul Frew MLA
Mr Chris Hazzard MLA
Mr Seán Lynch MLA
Mr Alban Maginness MLA
- In Attendance: Mrs Christine Darrah (Assembly Clerk)
Mr Keith McBride (Senior Assistant Assembly Clerk)
Ms Leanne Johnston (Clerical Supervisor)
Ms Marianne Doherty (Clerical Officer)
- Apologies: Mr Stewart Dickson MLA

The meeting commenced at 12.32 p.m. in public session.

1. Apologies

As above.

2. Briefing by Assembly Researcher on a Research Paper on Fine Collection and Enforcement Mechanisms in other jurisdictions

Mr Tim Moore, Senior Assembly Researcher, joined the meeting at 12.33 p.m.

Mr Moore outlined the key issues covered in the research paper and discussed a range of matters including how the proposals for fines and enforcement in Northern Ireland set out in the Justice No.2 Bill compare with the approach adopted by other jurisdictions, how often options such as deductions from benefits are used in other jurisdictions and what other jurisdictions provide the opportunity to satisfy a fine by undertaking appropriate treatment such as mental health, drug or alcohol treatment.

Mr Moore agreed to provide further research on a range of issues.

The Chairman thanked Mr Moore for his attendance and he left the meeting.

3. Justice No.2 Bill – Briefing on the Principles of the Bill

Ms Karen Pearson, Deputy Director, Criminal Justice Division and Ms Angela Bell, Ms Pamela Reid and Mr Tom Haire, Criminal Justice Division, Department of Justice joined the meeting at 1.01 p.m.

Ms Pearson outlined the provisions in the Bill relating to fine collection and informed the Committee that the Department was considering amendments to the Bill to provide for a police power of arrest in relation to fine default hearings and to improve information access and sharing in the fine collection process.

A detailed question and answer session followed covering issues including: what models of fines and enforcement in other jurisdictions were considered when developing the NI proposals; how the NI model compares to the systems in England and Wales and in Scotland; the estimated cost savings as a result of the new system; the estimated cost of the proposed new Agency; whether the fine collection and enforcement systems in England and Wales and in Scotland are considered successful in reducing the number of outstanding fine warrants; whether a judge can impose a Supervised Activity Order in the first instance rather than a fine; the standard of proof required in determining whether a person is wilfully or deliberately defaulting on a fine; the difficulties encountered by fine collection officers in accessing information and whether direct access to relevant information held by Government Agencies will be provided; why the system in the Republic of Ireland does not allow for deductions from benefits; how the proposed system of deductions from benefits would work in practice; in what circumstances imprisonment for fine default is deemed appropriate; whether the Bill could potentially lead to privatisation of the fines and enforcement system; whether the Bill is considered to be a miscellaneous Bill and how to limit substantive amendments being introduced at Further Consideration Stage; and whether it will include amendments relating to firearms and if so when the Department will provide the wording of the amendments.

The officials agreed to provide the Committee with further information on the proposed amendments prior to the meeting on 2 July.

The Chairman thanked Ms Bell and Ms Reid for their attendance and they left the meeting.

Ms Anne McConkey, Policing Policy and Strategy Division, Department of Justice and Mr Alan Smyth, Head of Licensing and Legislation Branch, Northern Ireland Prison Service joined the meeting at 1.21 p.m.

Ms McConkey and Mr Smyth outlined Parts 2 and 3 of the Bill relating to the Prisoner Ombudsman, the early removal of foreign national prisoners, lay visitors for all police stations and the offence of possession of extreme pornographic images.

A question and answer session followed covering issues including: the reasons for placing the Office of the Prisoner Ombudsman on a statutory footing and what difference it would make; the likely impact of the foreign national prisoner removal scheme and how many prisoners it would apply to; and the rationale for originally restricting lay visiting arrangements to designated police stations.

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

The briefings were recorded by Hansard.

4. AccessNI Enhanced Checks - Update on the Current Position

Mr Tom Clarke, General Manager, AccessNI, Assistant Chief Constable, Chris Noble, Superintendent Tim Mairs and Detective Chief Inspector Brenda Cairns, PSNI joined the meeting at 1.25 p.m.

Mr Tom Clarke and Assistant Chief Constable Chris Noble outlined the current position in relation to AccessNI performance, particularly in relation to enhanced checks and the reasons for the PSNI backlog.

A detailed question and answer session followed covering issues including: the reasons for the delays in processing AccessNI enhanced checks; the process undertaken in relation to enhanced checks; the changes in structure and processes required to clear the backlog of applications; how long it will take to address the backlog; the length of time the most outstanding applications have been in the system; the reasons for the disparity in AccessNI targets and those in Scotland; how to tackle the issue of information being held across multiple databases; the difference in the system which exists in the Republic of Ireland; what systems are in place to inform people of the status of their application; whether there is any mechanism to filter cases where supplementary evidence is required; and what system is in place to fast track urgent applications.

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

Agreed: The Committee agreed that it wished to continue receiving monthly written updates on AccessNI performance, particularly in relation to enhanced checks.

5. Justice No.2 Bill (continued)

The Chairman sought the views of the Committee on the principles of the Justice No.2 Bill.

Agreed: The Committee agreed that it was content to support the principles of the Justice No.2 Bill at Second Stage.

The Chairman advised the Committee that the time available for the Justice No.2 Bill to complete its passage through the Assembly before the end of the mandate was limited therefore, in order to make best use of the time, the Committee may wish to consider issuing its call for written evidence once the Bill has been introduced into the Assembly rather than waiting until the commencement of Committee Stage.

Agreed: The Committee agreed that proposals should be prepared for consideration at the meeting on 2 July to enable written evidence to be sought following the introduction of the Justice No.2 Bill into the Assembly.

6. Any Other Business

The Chairman advised Members that an invitation had been received from NIACRO to a presentation of Research Findings in relation to ‘Understanding and Improving Employment Pathways in Youth Justice in Northern Ireland’ on Tuesday 30 June 2015.

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

7. Date and Time of next meeting

The next Committee meeting will take place on Thursday 2 July 2015 in the Senate Chamber, Parliament Buildings at 2.00 p.m.

The meeting was adjourned at 1.58 p.m.

Mr Alastair Ross MLA
Chairman, Committee for Justice