



**Northern Ireland
Assembly**

COMMITTEE FOR JUSTICE

MINUTES OF PROCEEDINGS

WEDNESDAY 25 FEBRUARY 2015
NIACRO, Amelia Street, Belfast

- Present: Mr Alastair Ross MLA (Chairman)
Mr Raymond McCartney MLA (Deputy Chairman)
Mr Stewart Dickson MLA
Mr Tom Elliott MLA
Mr Chris Hazzard MLA
Mr Seán Lynch MLA
Mr Alban Maginness MLA
Mr Patsy McGlone MLA
Mr Edwin Poots MLA
- In Attendance: Mrs Christine Darrah (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 Sammy Douglas MLA
Mr Paul Frew MLA

The meeting commenced at 2.40 p.m. in public session.

The Chairman, on behalf of the Committee for Justice, thanked NIACRO for hosting the Justice Committee meeting and for the opportunity to meet with NIACRO staff prior to the meeting to discuss the services that NIACRO provides.

1. Apologies

As above.

2. Draft minutes of the meeting held on 18 February 2015

The Committee approved the draft minutes of the meeting held on 18 February 2015.

3. Matters Arising

There were no matters arising.

2.43 p.m. Mr Raymond McCartney left the meeting.

4. Briefing by the Probation Board for Northern Ireland on current work, programmes and budget

Ms Vilma Patterson, Chairman, Ms Cheryl Lamont, Acting Director, Mr Paul Doran, Deputy Director Operations, and Mr Hugh Hamill, Acting Deputy Director Operations, Probation Board for Northern Ireland (PBNI) joined the meeting at 2.43 p.m.

Ms Patterson and Ms Lamont outlined the current priorities and issues impacting on the Probation Board for Northern Ireland.

A detailed question and answer session followed covering issues including: the number of Probation offices in Northern Ireland and potential closure of offices as a result of budget reductions; how the Joint Information Sharing protocol with the Republic of Ireland would assist in the management of sex offenders and whether these arrangements can be improved or strengthened; the location of the pilot restorative project and the types of offences that the pilot will cover; adult intervention restorative options; the change fund project and the type of offender it will cover; the level of intervention required and whether a targeted approach would be adopted to ensure that the level of intervention offered is proportionate to the needs of the offender; the level of skills and experience of volunteers with the PBNI; the level of risk volunteers are exposed to; how PBNI works NIACRO to deliver services and projects; how PBNI works with the other criminal justice organisations; assistance for offenders to gain employment after prison and success rates; the impact of limited training opportunities and purposeful activity in prison; how PBNI works with Women's Aid Federation in relation to domestic violence offenders; the interface with education organisations and why so few former offenders gain academic qualifications; examples of early intervention in relation to young people to prevent them from entering the criminal justice system; impact of budget reductions on PBNI's ability to deliver its front-line services; the increase in workload since 2010; reoffending rates of adults on probation supervision in comparison with other jurisdictions; the adverse impact of budget reductions on PBNI's voluntary and community sector partners; and whether PBNI have engaged with the PSNI regarding the time taken in relation to criminal records checks and how this impacts upon employment opportunities for former offenders.

The Probation Board extended an invitation to Committee Members to visit Probation Board projects and spend time with its front-line staff.

The Chairman thanked the representatives from the Probation Board for Northern Ireland for their attendance and they left the meeting.

5. The Justice Bill – Informal Consideration of Part 3 – Prosecutorial Fines, Part 4 – Victims and Witnesses and Part 5 – Criminal Records

The Committee considered clauses 17 to 27 which cover Prosecutorial Fines, clauses 28 to 35 of the Justice Bill which cover Victims and Witnesses, and clauses 36 to 43 and Schedule 4 of the Justice Bill which cover Criminal Records.

Agreed: The Committee agreed to seek clarification from the Department of Justice on a number of issues raised in relation to Part 3, Part 4 and Part 5 of the Justice Bill.

6. The Justice Bill – Informal Consideration of Proposed Amendments by the Attorney General for Northern Ireland to the Coroners’ Act (NI) 1959 and to Provide for Rights of Audience for Lawyers in his office

The Committee considered the proposed amendments by the Attorney General for Northern Ireland to the Coroners’ Act (NI) 1959 and to provide for Rights of Audience for lawyers in his office.

The Chairman advised the Committee that the Minister for Health, Social Services and Public Safety had indicated he would be providing further information on the Review of the Handling of Serious Adverse Incidents.

Agreed: The Committee agreed to give further consideration to the Attorney General’s proposed amendment to the Coroners’ Act (NI) 1959 at its next meeting when the additional information would be available.

Agreed: The Committee agreed to seek clarification from the Department of Justice regarding the potential to include a review mechanism in the proposed provision to provide for rights of audience for lawyers working in the Attorney General’s office to inform consideration of extending the rights to lawyers in other offices such as the Public Prosecution Service in due course.

7. SL1: The Lands Tribunal for Northern Ireland - Tribunal Fees for Non-Domestic Rating Valuation Appeals

The Committee considered a proposal by the Department of Justice to make a Statutory Rule to amend the fees charged in the Lands Tribunal for Northern Ireland for non-domestic rating valuation appeals and for all administrative services to achieve full cost recovery.

Agreed: The Committee agreed to schedule an oral briefing by departmental officials on the proposed Statutory Rule.

8. SL1: The Civil Legal Services (Procedure) Regulations (Northern Ireland) 2015

The Committee considered a proposal by the Department of Justice to make a Statutory Rule to provide for procedures for making decisions about funding by the Department of civil legal services, impose conditions which must be satisfied by an individual applying for funding, and establish procedures for the review of decisions and withdrawal of funding.

The Committee noted correspondence from the Department of Justice advising that it intended to change the title of this Statutory Rule to ‘The Civil Legal Services (General) Regulations’ to reflect the wider matters that the Regulation deals with and that it was removing the regulations in respect of Child Order proceedings and Child Abduction and registration of certain foreign orders from the proposed Rule and would be considering other mechanisms to make those particular changes.

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

9. SL1: The Civil Legal Services (Remuneration) Order (Northern Ireland) 2015

The Committee considered a proposal by the Department of Justice to make a Statutory Rule which sets out remuneration arrangements for the fees payable to the legal profession and other expenses associated with civil legal aid, such as expert witnesses.

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

10. SL1: The Civil Legal Services (Statutory Charge) Regulations (Northern Ireland) 2015

The Committee considered a proposal by the Department of Justice to make a Statutory Rule to make provision for the receipt and application of property and costs recovered on behalf of a funded client, and the scope and operation of the statutory charge.

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

11. Review of the Implementation of the Welfare of Animals Act (Northern Ireland) 2011

The Committee considered the Interim Report of the Steering Group overseeing the Review of the Implementation of the Welfare of Animals Act (Northern Ireland) 2011 and the issues and recommendations pertaining to the Department of Justice's responsibilities and issues regarding the implementation of the Welfare of Animals Act (Northern Ireland) 2011 by the PSNI were raised.

Agreed: The Committee agreed to consider the Final Report of the Steering Group when it was available.

12. Correspondence

- i. The Committee noted correspondence from the Department of Justice regarding the timescale for the final meeting of the Prison Review Oversight Group.
- ii. The Committee noted correspondence from the Department of Justice advising of the recent publication of a report on potential victims of human trafficking recovered in Northern Ireland between 2009 and 2013 and providing a copy of the report.
- iii. The Committee noted correspondence from the Department of Justice regarding the Judicial Pensions Regulations and forfeiture for negligence provisions.
- iv. The Committee noted correspondence from the Department of Justice regarding amendments to the Code of Practice on the Appointment of Independent Members to Policing and Community Safety Partnerships and District Policing and Community Safety Partnerships.
- v. The Committee noted correspondence from the Committee for the Office of the First Minister and Deputy First Minister providing a copy of a response from the House of Lords EU Committee on the European Commission's Work Programme for 2015.
- vi. The Committee noted correspondence from the Chief Constable of the PSNI clarifying comments he made during his attendance at the Committee meeting on 8

October 2014 regarding budget issues and additional security funding from HR Treasury.

- vii. The Committee noted the Supreme Court of Judicature Northern Ireland Land Purchase Account for 2013-14.
- viii. The Committee noted the Northern Ireland Audit Office Review of Continuous Improvement arrangements in Policing.
- ix. The Committee considered a response from the Public Prosecution Service to the Committee's request for further information regarding the timescale for the independent review of the prosecutorial systems and processes following issues raised in the BBC Spotlight programme broadcast on 14 October 2014 regarding the Mairia Cahill case and the timescale for the publication of the Attorney General's Review regarding the decision not to prosecute Mr Gerry Adams TD.

Agreed: The Committee agreed to request copies of both reports from the Public Prosecution Service as soon as they are available.

Agreed: The Committee agreed to schedule its consideration of the terms of reference for its proposed inquiry after Easter Recess.

13. Chairman's Business

- i. The Chairman informed the Committee that an invitation had been received from the Northern Ireland Judicial Appointments Commission (NIJAC) had invited the Committee to attend its plenary meeting on 12 March 2015 when it will be discussing the issue of flexible working in the context of achieving diversity in judicial appointments.

Agreed: The Committee agreed that Members would advise the Committee Clerk if they wished to attend NIJAC's plenary meeting.

- ii. The Chairman updated Members on his meeting with the Organisation for Economic Cooperation and Development.

14. Any Other Business

The correspondence from the Minister of Justice regarding his decision to close the Northern Ireland Law Commission which was noted by the Committee at the meeting on 18 February was raised.

Agreed: The Committee agreed that the correspondence and a copy of the Report of the Independent Review of the Commission should be recirculated to Members.

15. Date and Time of next meeting

The next meeting will take place on Wednesday 4 March 2015 at 2.00 p.m. in Room 21 Parliament Buildings.

The meeting was adjourned at 4.30 p.m.

Mr Alastair Ross MLA
Chairman, Committee for Justice