



**Northern Ireland  
Assembly**

**COMMITTEE FOR JUSTICE**

**MINUTES OF PROCEEDINGS**

WEDNESDAY 25 MARCH 2015  
Room 21, Parliament Buildings

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

*The meeting commenced at 2.07 p.m. in public session.*

**1. Apologies**

As above.

**2. Draft minutes of the meeting held on 18 March 2015**

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

**3. Matters Arising**

- i. The Committee noted correspondence from the Department of Justice advising that the departmental briefing on the outcome of the consultation on the Criminal Law on Abortion in Cases of Lethal Foetal Abnormality and Sexual Crime had been postponed to allow officials more time to finalise the summary of the consultation responses.

- ii. The Committee noted a schedule of work items provided by the Department of Justice for April 2015 and a list of briefings the Committee had previously agreed should be arranged. A Forward Work Programme for April and May would be drawn up and no meeting would be scheduled for 7 May 2015 due to the Westminster election.

*Agreed:* The Committee agreed that it would not meet on 30 April 2015 unless urgent business required it to do so.

#### **4. Statutory Time Limits – Outcome of Consultation and Proposed Way Forward**

Ms Maura Campbell, Head of Criminal Justice Development Division, Mr Graham Walker and Ms Jean Moore, Criminal Justice Development Division, Department of Justice joined the meeting at 2.10 p.m.

Ms Campbell outlined the Department's proposals for the introduction of Statutory Time Limits (STLs) in the Youth Court.

*2.13 p.m. Mr Tom Elliott joined the meeting.*

A question and answer session followed covering issues including: the types of offences excluded from STLs; the process if a case exceeds the 120 day time limit; the powers of the Court to extend a time limit in the '*interests of justice*'; the definition of '*interests of justice*'; whether there would be an increase in court business relating to extension requests; the circumstances in which a court would refuse an extension request; current case progression performance; the experience of the STL system operating in Scotland; the causes of delays in the court system; the timeliness of the case preparation stage of cases; the purpose of the Indictable Cases Pilot in the Crown Court Division of Ards; the summons procedure and how it will be improved; the targets relating to the achievement of STLs; administrative time limits; plans to monitor and review the effectiveness of the STLs; and the rationale for the phased introduction of STLs.

The briefing was recorded by Hansard.

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

*Agreed:* The Committee agreed that it was content with the proposals for the introduction of Statutory Time Limits in the Youth Court.

#### **5. The Justice Bill – Consideration and Approval of Committee Report**

The Committee considered the final draft report on the Justice Bill.

##### **Title Page, Committee Membership and Powers, Table of Contents and List of Abbreviations**

The Committee considered the Title page, Committee Membership and Powers, Table of Contents and List of Abbreviations.

“Question: That the Committee is content with the Title page, Committee Membership and Powers, Table of Contents and List of Abbreviations as drafted put and agreed to”.

##### **Introduction**

The Committee considered the Introduction section of the report.

“Question: That the Committee is content with the Introduction (paragraphs 1 to 22) as drafted put and agreed to”.

### **Consideration of the Provisions of the Bill**

The Committee considered the Consideration of the Bill section of the report.

“Question: That the Committee is content with the Consideration of the Bill section of the report (paragraphs 23 to 309) as drafted put and agreed to”.

### **Consideration of New Provisions for Inclusion in the Bill**

The Committee considered the Consideration of New Provisions for Inclusion in the Bill section of the report.

“Question: That the Committee is content with the Consideration of New Provisions for Inclusion in the Bill section of the report (paragraphs 310 to 383) as drafted put and agreed to”.

### **Clause by Clause consideration of the Bill**

The Committee considered the Clause by Clause consideration of the Bill section of the report.

“Question: That the Committee is content with the Clause by Clause consideration of the Bill section of the report (paragraphs 384 to 518) as drafted put and agreed to”.

### **Appendices**

The Committee considered the Appendices section of the report.

“Question: That the Committee is content with the contents of the Appendices to be included in the report put and agreed to”.

### **Executive Summary**

The Committee considered the draft Executive Summary of the report.

“Question: That the Committee is content with the Executive Summary as drafted put and agreed to”.

*Agreed:* The Committee agreed that it was content for the Chairman to approve the extract of the Minutes of Proceedings of today’s meeting for inclusion in Appendix 1 of the report.

*Agreed:* The Committee agreed to order the Report on the Justice Bill (NIA 37/11-15) to be printed.

*Agreed:* The Committee agreed that an electronic copy of the Bill report should be sent to all organisations and individuals who provided evidence to the Committee on the Bill.

## **6. SR 2015/143: The Police Act 1997 (Criminal Records) (Disclosure) (Amendment) Regulations (Northern Ireland) 2015**

The Committee considered Statutory Rule 2015/143 The Police Act 1997 (Criminal Records) (Disclosure) (Amendment) Regulations (Northern Ireland) 2015 which will enable AccessNI to search for details of an individual’s criminal record on the Police National Computer and which also sets out the details of the information that AccessNI can provide in relation to convictions on a basic check, the details of convictions and

cautions that can be disclosed on standard and enhanced checks and details of what can be disclosed and the databases from which they can be disclosed.

*Agreed:* The Committee for Justice considered Statutory Rule 2015/143 The Police Act 1997 (Criminal Records) (Disclosure) (Amendment) Regulations (Northern Ireland) 2015 and had no objection to the Rule.

## **7. SL1: Reform of Police Discipline and Unsatisfactory Performance Procedures in Northern Ireland**

The Committee considered a proposal by the Department of Justice for three Statutory Rules which will reform police discipline and unsatisfactory performance procedures in Northern Ireland by revoking and replacing existing regulations governing conduct, performance and attendance and appeals procedures.

*Agreed:* The Committee agreed that an oral briefing from departmental officials on the proposed Statutory Rules should be scheduled into the Forward Work Programme.

## **8. Reducing Avoidable Delay in the Criminal Justice System and Improving Services for Victims and Witnesses – Progress Report on the Programmes of Work**

The Committee noted progress reports provided by the Department of Justice on the delivery of the programme of work to reduce avoidable delay in the criminal justice system and implement the Victim and Witness Strategy and Action Plan for 2013/15.

## **9. Guidance/ Directions required for the Implementation of the Civil Legal Services Reforms**

The Committee noted a written briefing paper provided by the Department of Justice on the Guidance and Directions required for the implementation of the Civil Legal Services Reforms which highlighted that, due to work capacity issues within the Department, it had not been possible to bring forward revised Guidance/Directions prior to the implementation of the Civil Legal Services Reforms. The Department had therefore asked the Director and Agency to have regard to the current materials.

## **10. Assembly Research Paper on Fine Collection and Enforcement Mechanisms**

The Committee noted a Research Paper it had commissioned on Fines and Enforcement which provided comparative information on fine collection and enforcement systems in a number of jurisdictions including England and Wales, Scotland, the Republic of Ireland, and Australia.

*Agreed:* The Committee agreed to invite the Assembly Researcher to brief the Committee on the paper to assist its consideration of the Fines and Enforcement Bill which is due to be introduced in June 2015.

## **11. Correspondence**

- i. The Committee noted correspondence from the Department of Justice providing an update on the Review of the Non-Jury Trial Provisions in the Justice and Security (Northern Ireland) Act 2007.
- ii. The Committee considered correspondence from the Committee for Education requesting its views on the Special Educational Needs and Disability Bill.

*Agreed:* The Committee agreed to forward the correspondence to the Department of Justice for its comments on the justice aspects of the Bill and to consider the matter further when a response is received.

- iii. The Committee noted a copy of correspondence from the Department of Finance and Personnel to the Committee for Finance and Personnel regarding the PSNI/NIO Equal Pay Issue.
- iv. The Committee noted the EU Matters Newsletter Issue 3 provided by the Assembly's EU Affairs Manager.
- v. The Committee noted the Criminal Justice Inspection Northern Ireland Report on its Follow-up Review of the Care and Treatment of Victims and Witnesses in the Criminal Justice System.
- vi. The Committee noted correspondence from the Northern Ireland Courts and Tribunals Service advising that its Trust Statement for 2013-14 had been amended to include a missing appendix.
- vii. The Committee noted correspondence from the Carnegie UK Trust providing a copy of its new report '*Towards a Wellbeing Framework: Findings from the Roundtable on Measuring Wellbeing in Northern Ireland*'.
- viii. The Committee considered correspondence from a Mr and Mrs McLaughlin regarding the PSNI handling of an animal cruelty case.

*Agreed:* The Committee agreed to forward the correspondence to the Chief Constable and request that he responds directly to Mr and Mrs McLaughlin on the issues raised and provides a copy of his response to the Committee.

- ix. The Committee considered correspondence from the Departmental Secretary, NIPSA, regarding the oral evidence from the Director General of the NI Prison Service and senior officials in relation to the ending of the issue of security notices to non-prison grade staff at the meeting on 4 March 2015.

*Agreed:* The Committee noted NIPSA's assertion that no Prison Service officials had been in contact regarding the matter and agreed to forward the correspondence to the NI Prison Service for comment and an explanation of the issues raised.

- x. The Committee noted correspondence from the Department of Justice in relation to the NI Prison Service's implementation of the Roe House Stocktake Report.
- xi. The Committee noted correspondence from the Department of Justice advising that the Crime and Courts Act 2013 (National Crime Agency and Proceeds of Crime) (Northern Ireland) Order 2015 had been passed at Westminster.
- xii. The Committee considered a response from the Department of Justice to its request for information on the extent of the backlog for enhanced checks by AccessNI in relation to the renewal of taxi licences, the current timescale for checks and the reasons for the delay.

*Agreed:* The Committee agreed to request a further up-date on the processing of enhanced checks relating to the renewal of taxi licences and AccessNI performance in relation to all checks in 4 weeks time.

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

- i. The Chairman informed Members that he had been approached by a number of groups regarding concerns around the lack of a joined up approach to tackling business crime.

*Agreed:* The Committee agreed to invite stakeholders to attend an informal public hearing at which they will have the opportunity to outline their views on business crime and Members can ask questions/explore the issues.

- ii. The Chairman informed Members that the Law Society event in relation to the impact of legal aid cuts, which was due to take place at the end of the week, had been postponed and the Committee would be advised of a new date in due course.

## **13. Any Other Business**

The work of the Laganside Voluntary Search and Rescue Organisation was discussed.

*Agreed:* The Committee agreed to undertake a visit to view the work at first-hand and meet volunteers.

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

The next meeting will take place on Thursday 16 April 2015 at 2.00 p.m. in Room 30, Parliament Buildings.

*The meeting was adjourned at 2.58 p.m.*

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