



**Northern Ireland
Assembly**

COMMITTEE FOR JUSTICE

MINUTES OF PROCEEDINGS

TUESDAY 26 MAY 2015
Senate Chamber, 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

In Attendance: Mrs Christine Darrah (Assembly Clerk)
Mr Keith McBride (Senior Assistant Assembly Clerk)
Mrs Sinead Kelly (Assistant Assembly Clerk)
Ms Leanne Johnston (Clerical Supervisor)

Apologies: Mr Alban Maginness MLA
Mr Patsy McGlone MLA

The meeting commenced at 10.46 a.m. in public session.

1. Apologies

As above.

2. The Justice Bill – Further Consideration of Clause 86

Ms Karen Pearson, Deputy Director, Criminal Justice Division, Department of Justice joined the meeting at 10.47 a.m.

Ms Pearson provided further information and clarification regarding Clause 86 of the Justice Bill.

A question and answer session followed covering issues including: the breadth of the regulation-making powers provided by Clause 86; examples of how the powers provided by Clause 86 might be used in practice; the specific meaning of the words “supplementary, incidental, consequential and transitional”; whether the Department has any specific concerns regarding the consequences of the Bill that would justify the

powers provided by Clause 86; whether it would be sufficient to restrict Clause 86 to consequential and transitional provisions; what examples there are of such a provision having been used previously; why subsection (2) enables the Department to amend, repeal or modify any statutory provision; whether Clause 86 would enable the Department to amend any piece of legislation even those not related to justice; why Clause 86 could not specifically relate to those parts of the Bill that the Department views as most likely to require amendment later on; the nature of affirmative resolution statutory rules; and whether the Department's proposal to the Committee to move part of Clause 87 into Clause 86 was presentational in nature rather than a substantive change.

The Chairman thanked Ms Pearson for her attendance and she left the meeting.

The Committee received advice from the Assembly Bill Clerk and considered the wording of a draft Committee amendment to Clause 86 to narrow the powers to consequential and transitional provision.

Agreed: The Committee agreed to bring forward an amendment at Consideration Stage to narrow the powers provided to the Department.

Agreed: The Committee agreed that the final wording of the amendment would be circulated as soon as possible.

The briefing was recorded by Hansard.

3. Any Other Business

The Chairman advised the Committee that, following the recent publication of the Report of the Independent Review by Sir Keir Starmer of the Prosecution of Related Sexual Abuse and Terrorism Cases by the Public Prosecution Service he had requested the urgent attendance of the Director of Public Prosecutions at the Committee to discuss the findings and recommendations of the report and what action he intends to take.

Agreed: The Committee agreed to request confirmation of when the Attorney General's report on the Public Prosecution Service handling of the Adams case would be available.

4. Date and Time of next meeting

The next Committee meeting will take place on Thursday 28 May 2015, in Room 30 Parliament Buildings at 2.00 p.m.

The meeting was adjourned at 11.14 a.m.

Mr Alastair Ross MLA
Chairman, Committee for Justice