



**Northern Ireland
Assembly**

COMMITTEE FOR JUSTICE

MINUTES OF PROCEEDINGS

MONDAY 15 FEBRUARY 2016
Senate Chamber, Parliament Buildings

- Present:** Mr Alastair Ross MLA (Chairman)
Mr Raymond McCartney MLA (Deputy Chairman)
Mr Alex Attwood MLA
Mr Stewart Dickson MLA
Mr Sammy Douglas MLA
Mr Paul Frew MLA
Mr Danny Kennedy MLA
Mr Seán Lynch MLA
Mr Alban Maginness MLA
Mr Edwin Poots MLA
- In Attendance:** Mrs Christine Darrah (Assembly Clerk)
Ms Karen Jardine (Senior Assistant Assembly Clerk)
Mrs Sinead Kelly (Assistant Assembly Clerk)
Ms Leanne Johnston (Clerical Supervisor)
Ms Marianne Doherty (Clerical Officer)
- Apologies:** None

The meeting commenced at 12.00 p.m. in public session.

1. Apologies

As above.

2. SL1 – The Legal Aid for Crown Court Proceedings (Costs) (Amendment) Rules (Northern Ireland) 2016

Mr Mark McGuckin, Deputy Director, Public Legal Services Division and Mr Mark McGuicken, Public Legal Services Division, Department of Justice, joined the meeting at 12.02 p.m.

Mr McGuckin outlined the proposed new remuneration arrangements for legal representatives undertaking work in the Crown Court which had been developed following mediation between the Department of Justice and representatives of the Bar Council and Law Society and which will be covered by the proposed Statutory Rule.

A detailed question and answer session followed covering issues including: the increased cost to the Department of the revised legal aid remuneration rates for Crown Court cases; where the additional funding required will come from; the timescale to clear the backlog of cases in the Crown Court; the reasons for the Department of Justice changing its original position regarding the remuneration rates; why the Department had previously indicated that the original fees were the best it could deliver; why the Committee was not informed of the agreement reached before it was reported in the media; the increased pressure on the legal aid budget for 2016/17 financial year as a result of the backlog of cases; the overall cost of clearing the backlog of cases and whether this can be met within the legal aid budget or whether it will impact on other areas of the Department's budget; whether the Finance Minister had been informed of the potential requirement for in-year monitoring round bids; the legal aid savings that were to be made and the savings that will now be delivered; whether there is any immediate impact on the 2015/16 budget; whether there will be indirect consequences on the NI Prison Service such as increases in the prison population; why mediation was required to resolve the issue; the implications for future legal aid remuneration changes; whether the settlement agreed for defence counsel will also apply to counsel employed by the Director of Public Prosecutions and the potential impact on the PPS budget; the role of the Lord Chief Justice in initiating the mediation process; whether the remuneration issues could have been resolved earlier;

12.34 p.m. Mr Sean Lynch left the meeting.

12.35 p.m. Mr Alex Attwood left the meeting.

12.35 p.m. Mr Paul Frew left the meeting.

the need for the Department of Justice to consider more innovative methods of delivering justice generally such as problem solving courts and online dispute resolution; and the timescale for processing the proposed Statutory Rule and whether it will be completed before the end of the current mandate.

The officials agreed to provide further information on any potential impact to the prison population.

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

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

12.43 p.m. Mr Edwin Poots joined the meeting.

3. Date and Time of next meeting

The next Committee meeting will take place on Thursday 18 February 2016 at 2.00 p.m. in Room 30, Parliament Buildings.

The meeting was adjourned at 12.44 p.m.

Mr Alastair Ross MLA
Chairman, Committee for Justice