



**Northern Ireland
Assembly**

COMMITTEE FOR JUSTICE

MINUTES OF PROCEEDINGS

TUESDAY 17 NOVEMBER 2015
Room 21, Parliament Buildings

Present: Mr Alastair Ross MLA (Chairman)
Mr Raymond McCartney MLA (Deputy Chairman)
Mr Sammy Douglas MLA
Mr Paul Frew MLA
Mr Seán Lynch MLA
Ms Bronwyn McGahan MLA
Mr Patsy McGlone 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)
Ms Marianne Doherty (Clerical Officer)

Apologies: None

The meeting commenced at 12:32 p.m. in public session.

1. Apologies

As above.

2. Justice No.2 Bill – Oral Evidence from Lord Morrow MLA on his Proposed Amendments regarding Assaults on Members of the Emergency Services

Lord Morrow MLA joined the meeting at 12.32 p.m.

Lord Morrow outlined the background to and purpose of his proposed amendment regarding assaults on members of the emergency services.

A question and answer session followed covering issues including: whether the purpose of the amendment was to change sentencing options for assaults on the emergency services or ensure all emergency services are covered by a specific offence thus creating a balanced approach; the types of sentence the judiciary currently impose for these types of

assaults; whether the emergency services covered by the amendment will be named on the face of the Bill or in Regulations;

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

whether the sentences currently available for common assault are different to those available for the offence of assaulting a constable under the Police Act 1998; whether the amendment should cover paramedics working in the community and in an Accident and Emergency unit; whether the amendment should be confined to emergency staff working in the public arena or whether it should also include other front-line medical staff, social workers and/or members of voluntary organisations such as Search and Rescue; and whether there had been any discussion with the Public Prosecution Service regarding the proposed amendment.

The briefing was recorded by Hansard.

The Chairman thanked Lord Morrow for his attendance and he left the meeting.

3. Justice No.2 Bill – Oral Evidence from BASC, GTGNI and CAI on the Proposed Amendments by the Department of Justice to Firearms Legislation

Mr Tommy Mayne, Director, British Association for Shooting and Conservation, Mr Lyall Plant, Chief Executive, Countryside Alliance Ireland and Mr David Robinson, Chairman, GunTrade Guild NI joined the meeting at 1.08 p.m.

The representatives of BASC, GTGNI and CAI outlined a range of key issues in relation to the proposed amendments by the Department of Justice to firearms legislation.

A question and answer session followed covering issues including: the level of engagement and communication that has taken place between the Department, the PSNI and the firearms organisations on the proposed amendments; the difference in the current law in England and Wales in relation to young shooters in comparison to what is proposed for Northern Ireland; the organisations alternative compromise proposal for the age of young shooters;

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

when the Department is expected to provide the text of the proposed amendments; the nature of the current relationship between the Department of Justice, PSNI and the firearms organisations; the frequency of contact between the Department and the firearms organisations since previous amendments to the Justice Bill were withdrawn; whether there is a lack of communication between the Department and the PSNI on the issues;

1.27 p.m. Ms Bronwyn McGahan left the meeting.

the number of 16 year olds who take part in shooting and hold a firearms certificate; whether the age restriction of 12 years will impact on the sporting prospects of young people from Northern Ireland; and the potential for the ‘any lawful quarry’ rule to provide clarity, remove bureaucracy and allow a firearm to be conditioned for dual use.

The briefing was recorded by Hansard.

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

4. Justice No.2 Bill – Oral Evidence from Basil McCrea MLA on his Proposed Amendments to Regulate the Flying of Flags on Non-Official Buildings

Mr Basil McCrea MLA and Ms Kirsty McClay joined the meeting at 1.44 p.m.

Mr McCrea outlined the background to and purpose of his proposed amendments to regulate the flying of flags on non-official buildings.

A question and answer session followed covering issues including: what incentive there would be for people to engage in a formal process given they already put flags up on lampposts; how the process would operate; the consequences if a person did not participate in the regulation process or permission was refused and they put up flags anyway; whether the flying of flags is an expression of culture; difficulties in enforcing the proposed legislation; the role envisaged for the PSNI and whether it was reasonable given the current financial constraints and other priorities; whether the proposed legislation would cover flags carried by marching bands; what criteria would be used to decide whether a flag was considered acceptable or not; what role there would be for community engagement when reaching decisions; whether the decision making body would be similar to the Parades Commission; and the views of the PSNI on the proposed amendments.

The briefing was recorded by Hansard.

The Chairman thanked Mr McCrea and Ms McClay for their attendance and they left the meeting.

5. Any Other Business

None.

6. Date and Time of next meeting

The next Committee meeting will take place on Thursday 19 November 2015 at 3.00 p.m. in the Loughview Suite, Ulster University, Jordanstown Campus

The meeting was adjourned at 2.38 p.m.

Mr Alastair Ross MLA
Chairman, Committee for Justice