



**Northern Ireland
Assembly**

COMMITTEE FOR JUSTICE

MINUTES OF PROCEEDINGS

THURSDAY 24 SEPTEMBER 2015
Room 30, Parliament Buildings

Present: Mr Alastair Ross MLA (Chairman)
Mr Raymond McCartney MLA (Deputy Chairman)
Mr Stewart Dickson MLA
Mr Sammy Douglas MLA
Mr Paul Frew MLA
Mr Seán Lynch MLA
Ms Bronwyn McGahan MLA
Mr Patsy McGlone MLA
Mr Edwin Poots MLA
Mr Neil Somerville MLA

In Attendance: Mrs Christine Darragh (Assembly Clerk)
Mr Keith McBride (Senior Assistant Assembly Clerk)
Mrs Roisin Donnelly (Assistant Assembly Clerk)
Ms Marianne Doherty (Clerical Officer)

Apologies: Mr Alban Maginness MLA

The meeting commenced at 3.13 p.m. in public session.

1. Apologies

As above.

2. Draft minutes of the meeting held on 17 September 2015

The Committee agreed the minutes of the meeting held on 17 September 2015.

3.15 p.m. Mr Stewart Dickson joined the meeting.

3. Matters Arising

The Committee considered an updated Committee Forward Work Programme for September and October 2015.

Agreed: The Committee agreed that the briefing by the Independent Members of the Prison Review Oversight Group should be rescheduled to January 2016.

The Chairman advised Members that arrangements had been made for the Prisoner Ombudsman to attend the meeting on 1 October 2015 to give evidence on Part 2 of the Justice No. 2 Bill.

4. Update on the Desertcreat Community Safety Training College Capital Project

Deputy Chief Constable Drew Harris, PSNI, Chair of the Programme Board, Mr Brendan Smyth, Acting Director, Central Procurement Directorate Construction Division - Health Projects, Department of Finance and Personnel, and Ms Rosemary Crawford, Deputy Director, Policing Policy and Strategy Division, Department of Justice joined the meeting at 3.17 p.m.

Deputy Chief Constable Harris outlined the current position in relation to the Desertcreat Community Safety Training College capital project.

A detailed question and answer session followed covering issues including: the likelihood of the Joint Community Safety Training College being delivered and if so where it would be located; the cost of the project to date including costs associated with the ongoing security and maintenance of the Desertcreat site; the cost of the various options being considered by the Programme Board including the cost to bring current facilities up to standard; the actual level of financial commitment to the project; progress on the review of the business case; the PSNI's preferred option in relation to a training facility; whether a commitment remains to develop a Joint Training College at the Desertcreat site; the options being considered as an alternative to the location of a Training College at the Desertcreat site; whether the finance raised as a result of the disposal of the NI Prison Service Millisle site would be used to fund the joint Training College;

3.37 p.m. Mr Edwin Poots left the meeting.

the pressures relating to the current training needs of the PSNI and the Fire Service; the prospect of securing previous project underspends which were surrendered to the Treasury; whether there is a budget allocation for the project at present; the timescale for determining the budget required to progress the project; the timescale for completing the Outline Business Case (1); whether the previous Outline Business Case was used to inform the new one; whether progress will be made to ensure the commitment in the Programme for Government will be delivered before the end of the mandate; the need to develop a sufficiently robust business case that can withstand future changes in training needs; changes in relation to the training needs of the three services as a result of developing technologies and the current reduction in training delivery as a result of budget measures; the planned recruitment of PSNI officers and the number of officers to be recruited and trained;

3.52 p.m. Mr Patsy McGlone left the meeting.

the extent of the training needs of each of the three services; the extent the new delivery methods have affected the viability of a Joint Training College at Desertcreat; the reduced requirement for classroom based learning; and the extent to which international training could be facilitated in the absence of a Joint Training College.

The officials agreed to provide the Committee with further information on a range of issues.

The briefing was recorded by Hansard.

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

5. Draft Stopping Domestic and Sexual Violence and Abuse Strategy and Action Plan

Mr Steven McCourt, Acting Head of Community Safety Unit, Department of Justice, joined the meeting at 4.00 p.m.

Mr McCourt outlined the key issues relating to the latest draft of the proposed Stopping Domestic and Sexual Violence and Abuse Strategy and the associated actions which would be the responsibility of the Department of Justice to deliver.

A question and answer session followed covering issues including: the length of time taken by the two Departments to consider the issues raised in the responses to the consultation and to produce the draft strategy; the cost implications for the Department of Justice in delivering the strategy and action plan; what a zero tolerance approach to domestic and sexual violence means in practical terms; what support is required to encourage victims to come forward and report crimes to the police and take cases through the courts; public perception that budget considerations are taking priority over tackling domestic and sexual violence; the objectives or actions that have been included in the strategy to address the low percentage of domestic violence and rape cases that either make it to trial or result in a successful conviction; whether there is a lack of specific and measurable policy commitments within the strategy; whether the draft strategy will go out for formal public consultation; the introduction of domestic homicide reviews; how the strategy would help a woman fleeing from a domestic violence situation particularly in relation to the provision of emergency accommodation; the provision of distant refuge accommodation; the relationship between the PPANI arrangements and the strategy; whether the strategy needs updated to reflect the child protection disclosure scheme provided for in the Justice Act; how the strategy addresses sentencing issues; probation programmes for offenders; the process of removing an offender from the sex offenders register; the funding for and current position of the pilot scheme for non-court at risk perpetrators; the cost of domestic violence to the economy; the difficulties in defining domestic violence and whether there is a specific offence; whether stalking is considered to be domestic violence and whether there is a specific offence; and how the strategy can raise awareness of male victims of domestic violence.

Mr McCourt agreed to provide the Committee with further information on a range of issues.

The briefing was recorded by Hansard.

The Chairman thanked Mr McCourt for his attendance and he left the meeting.

Agreed: The Committee agreed to write to the Department to highlight the issues and concerns raised by Members during the oral briefing and the additional information requested.

Agreed: The Committee agreed to schedule a briefing by PPANI on issues relevant to the Strategy into the Forward Work Programme.

6. SL1: The Police Act 1997 (Criminal Records) (Amendment No2) Regulations (Northern Ireland) 2015

The Committee considered a proposal by the Department of Justice to make a Statutory Rule to amend the Police Act 1997 (Criminal Records) (Registration) Regulations (Northern Ireland) 2007 and the Police Act 1997 (Criminal Records) (Disclosure) Regulations (Northern Ireland) 2008. The amendments, which are tied to the commencement of the criminal record provisions of the Justice Act (Northern Ireland) 2015, will restrict the time period within which a registered person may ask the Department to confirm it has issued a certificate to a person who has made an application for a criminal record certificate and enable checks to continue to be made on those aged under 16 where work with children will be carried out at the applicant's home address. The proposed changes reflected the recommendations made in Sunita Mason's report following her review of the criminal records regime in Northern Ireland.

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

7. SL1: Amendments to the Criminal Justice (European Protection Order) Regulations (Northern Ireland) 2014

The Committee considered a proposal by the Department of Justice to make a Statutory Rule to ensure the Criminal Justice (European Protection Order) Regulations (Northern Ireland) 2014, which makes provision for victims to benefit from the protection measures made against their offenders when they travel or move to other Member States, are consistent with similar provisions in England and Wales and the proper meaning is evident.

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

8. Justice No.2 Bill - Proposals for Handling the Committee Stage

The Committee noted the written submissions received in relation to the Justice No. 2 Bill and the Department of Justice's proposed amendments.

Agreed: The Committee agreed that the written submissions should be placed on the Committee webpage and copies sent to the Department of Justice to enable it to respond in due course to the issues raised.

The Committee noted the timetable for the Committee Stage of the Justice No.2 Bill, which was due to finish on 20 October 2015, and considered a motion to extend the Committee Stage.

Question put and agreed:

That, in accordance with Standing Order 33(4), the period referred to in Standing Order 33(2) be extended to 15 January 2016, in relation to the Committee Stage of the Justice No.2 Bill (NIA 57/11-16).

9. Statutory Guidance to Chief Officers of Police on providing information for inclusion in Enhanced Criminal Record Checks - Results of the Consultation and Proposed Way Forward

The Committee considered information provided by the Department of Justice on the results of its focused consultation on draft Statutory Guidance that Chief Officers of

Police must have regard to when determining whether to disclose information on enhanced AccessNI checks and the Department's final draft guidance.

Agreed: The Committee agreed that it was content with the Statutory Guidance for Chief Officers of Police on providing information for inclusion in enhanced criminal record checks.

10. Review of the Level of Statutory Bereavement Damages in Northern Ireland - Proposed Consultation

The Committee considered proposals provided by the Department of Justice for a consultation on the level of statutory bereavement damages in Northern Ireland.

Agreed: The Committee agreed that it was content for the proposed consultation to take place and to consider the matter further when the results of the consultation are available.

11. Correspondence

- i. The Committee noted correspondence from the Department of Justice advising of the Minister of Justice's intention to make an oral statement to the Assembly on 28 September 2015 on 'Supporting Change – A Strategic Approach to Desistance'.
- ii. The Committee considered correspondence from the Office of the Lord Chief Justice regarding a targeted consultation on the Lord Chief Justice's Programme of Action on Sentencing.

Agreed: The Committee agreed to highlight to the Office of the Lord Chief Justice its particular concerns in relation to sentencing and offences on vulnerable people including the elderly and domestic violence.

- iii. The Committee noted correspondence from the Committee for the Office of the First Minister and deputy First Minister providing a copy of a report from the Northern Ireland Human Rights Commission on UK compliance with the International Covenant on Civil and Political Rights.
- iv. The Committee considered correspondence from the Committee for the Office of the First Minister and deputy First Minister providing an embargoed copy of the Executive Summary and Recommendations of its Report on its Inquiry into Building a United Community and noted a copy of the Department of Justice's comments on the recommendations relevant to justice.

Agreed: The Committee agreed to schedule a briefing from Department of Justice officials on the work it is undertaking with those living at interfaces and the removal of 'peace walls'.

Agreed: The Committee agreed to request a breakdown of the funding provided by the Department of Justice for interface areas including specific details of the geographic areas the funding is going to.

- v. The Committee considered correspondence from the Committee for Finance and Personnel seeking comments on the Legal Complaints and Registration Bill which will introduce a new statutory framework for handling complaints made against

solicitors and barristers and will introduce strengthened oversight of the framework through the establishment of the Legal Services Oversight Commissioner.

Agreed: The Committee agreed to request a copy of the Department of Justice's response on the Bill to assist the Committee's consideration of the issues.

- vi. The Committee noted correspondence providing a copy of the Northern Ireland Law Commission Annual Report for the year ended 31 March 2015.
- vii. The Committee considered correspondence from Mr Basil McCrea MLA requesting an opportunity to discuss amendments he proposes to make to the Justice No.2 Bill to regulate the flying of flags on non-official buildings.

Agreed: The Committee agreed to invite Mr McCrea to brief the Committee on his proposed amendments.

Agreed: The Committee agreed to request the views of the Department of Justice on Mr McCrea's proposals when the draft amendments were available.

- viii. The Committee considered an invitation from the Public Protection Agency NI to its Special Interest Seminar on 'Online Offending' at Crumlin Road Gaol on 16 October 2015.

Agreed: The Committee agreed that Members should advise the Clerk if they wished to attend this event.

- ix. The Committee noted the Criminal Justice Inspection Northern Ireland report 'Answering the Call – A Follow-Up Review of the Police Service of Northern Ireland Contact Management Inspection Recommendations' which had been published on 24 September 2015.

12. Any Other Business

None.

13. Chairman's Business

The Chairman advised Members that he had received correspondence relating to the oral evidence session on 11 June 2015 with the Director of Public Prosecutions that it would be appropriate to discuss in closed session.

The Committee agreed that the meeting should move into closed session.

The meeting moved into closed session at 4.54 p.m.

The Committee considered the correspondence received by the Chairman and the issues raised.

Agreed: The Committee agreed to respond to the correspondence outlining the role and remit of the Committee and the extent of its powers.

14. Date and Time of next meeting

The next Committee meeting will take place on Thursday 1 October 2015 at 2.00 p.m. in Room 30, Parliament Buildings.

The meeting was adjourned at 5.00 p.m.

Mr Alastair Ross MLA
Chairman, Committee for Justice