



**Northern Ireland  
Assembly**

**COMMITTEE FOR JUSTICE**

**MINUTES OF PROCEEDINGS**

THURSDAY 3 MARCH 2016

Council Chamber, Law Society House, Belfast

Present: Mr Alastair Ross MLA (Chairman)  
Mr Raymond McCartney MLA (Deputy Chairman)  
Mr Stewart Dickson MLA  
Mr Sammy Douglas MLA  
Mr Danny Kennedy MLA  
Mr Alban Maginness MLA  
Ms Bronwyn McGahan MLA

In Attendance: Mrs Christine Darrah (Assembly Clerk)  
Ms Karen Jardine (Senior Assistant Assembly Clerk)  
Mrs Roisin Donnelly (Assistant Assembly Clerk)  
Ms Leanne Johnston (Clerical Supervisor)  
Ms Marianne Doherty (Clerical Officer)

Apologies: Mr Alex Attwood MLA  
Mr Paul Frew MLA  
Mr Seán Lynch MLA

*The meeting commenced at 2.18 p.m. in public session.*

**1. Apologies**

As above.

**2. Draft minutes of the meeting held on 25 February 2016**

The Committee agreed the minutes of the meeting held on 25 February 2016.

**3. Matters Arising**

- i. The Chairman advised the Committee that the briefing on the current position regarding the Desertcreat Community Safety Training College capital project scheduled for the meeting on 10 March 2016 would take the form of a written paper.

#### **4. Update on the Scoping Study on Children in the Justice System – March 2016**

Mr Declan McGeown, Chief Executive, Ms Mary Aughey, Director of Youth Justice Services and Mr Brian Ingram, Director of Custodial Services, Youth Justice Agency, and Ms Kiera Lloyd, Reducing Offending Policy Unit, Department of Justice joined the meeting at 2.19 p.m.

Mr McGeown outlined the current position regarding the Scoping Study on Children in the Justice System.

A question and answer session followed covering issues including: what opportunities had been provided for the voluntary groups to assist in shaping the proposals; the level of engagement by the Department with the NGOs on the Scoping Study; whether the proposals will require legislative changes and if so what areas are likely to be covered and what is the anticipated timescale; what monitoring and oversight arrangements will be put in place to ensure that the next programme of work will be delivered; the level of cross departmental commitment and collaboration that exists; the types of offences that can be dealt with by the proposed welfare approach; the nature of the Minister of Justice's planned oral statement to the Assembly and whether it would include detailed proposals; the timescale for the provision of detailed proposals; whether there would be an implementation plan; the impact of budgetary pressures in relation to education provision in the Juvenile Justice Centre; whether youth justice was likely to remain in the Department of Justice or sit within another Department such as Education or Health; the role of the Director General of the NI Prison Service in relation to youth justice; the need to remove youth justice away from the NI Prison Service; the timescale for implementing the proposals; barriers to the proposals going forward; the role of the NI Commissioner for Children and Young People in relation to the Scoping Study; the lack of action to reduce PACE numbers; the approach in relation to 'looked after' children and best practice in other jurisdictions; working with high risk young offenders; work with OFMDFM on the Children's Strategy; the level of response to the Scoping Study and whether there were difficulties engaging with parents and young people; and whether there are examples of children whose needs cannot be met within Northern Ireland.

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

The Committee noted the intention of the Minister of Justice to make an oral statement on the Scoping Study on Children in the Justice System in the Assembly on 14 March 2016.

#### **5. SR 2016/57: The Mental Health Review Tribunal (Amendment) Rules (Northern Ireland) 2016**

The Committee considered The Mental Health Review Tribunal (Amendment) Rules (Northern Ireland) 2016 which will provide the Mental Health Review Tribunal with the discretion to abridge time limits for proceedings where it is in the interests of justice to do so to ensure compliance with the European Convention.

*Agreed:* The Committee considered 2016/57 The Mental Health Review Tribunal (Amendment) Rules (Northern Ireland) 2016 and had no objection to the Rule.

**6. SR 2016/48: The Modern Slavery Act 2015 (Duty to Co-operate with Commissioner) (Northern Irish Public Authority) Regulations (Northern Ireland) 2016**

The Committee considered The Modern Slavery Act 2015 (Duty to Co-operate with Commissioner) (Northern Irish Public Authority) Regulations (Northern Ireland) 2016 which will make a number of public authorities in Northern Ireland subject to the duty to co-operate with the UK Independent Anti-Slavery Commissioner.

*Agreed:* The Committee considered SR 2016/48 The Modern Slavery Act 2015 (Duty to Co-operate with Commissioner) (Northern Irish Public Authority) Regulations (Northern Ireland) 2016 and had no objection to the Rule.

**7. Programme for Government 2011 – 2015 - Update on Department of Justice Commitments – February 2016**

The Committee noted an update from the Department of Justice on progress in relation to the seven commitments in the Programme for Government for which it has responsibility.

**8. Implementation of the Access to Justice Review Recommendations – Progress Report – February 2016**

The Committee considered a progress report from the Department of Justice on the implementation of the Access to Justice Review key areas to be taken forward and the projects outlined in the Departmental Action Plan 2012-15.

*Agreed:* The Committee agreed that it was content with the Department of Justice proposal that any outstanding work from the Departmental Action Plan should be absorbed into the new programme of work that will be developed to deliver the Access to Justice Review Part II.

**9. Implementation of the Victim and Witness Strategy Action Plan 2015/2018 – Progress Report - February 2016**

The Committee noted a progress report from the Department of Justice on the delivery of the 2015 – 2018 Victim and Witness Strategy Action Plan.

**10. Strategic Framework for Reducing Offending – Progress Report - February 2016**

The Committee noted the final report from the Department of Justice on progress to advance the strategic outcomes of the Reducing Offending Framework.

**11. CJINI Inspection of Policing and Community Safety Partnerships – Update on Implementation of the Action Plan**

The Committee noted an update from the Department of Justice on the delivery of the action plan in response to the recommendations within the Criminal Justice Inspection Northern Ireland report on Policing and Community Safety Partnerships: A Review of Governance, Delivery and Outcomes published in December 2014.

## **12. Review into the Implementation of the Welfare of Animals Act (Northern Ireland) 2011 – Final Report - February 2016**

The Committee noted the Final Report of the Review into the Implementation of the Welfare of Animals Act (Northern Ireland) 2011 and the actions being taken by the Department of Justice in relation to the recommendations that fall within its remit.

## **13. Correspondence**

- i. The Committee noted a response from the Department of Justice providing clarification of a number of issues following the oral evidence session with Members of the Maghaberry Prison Independent Monitoring Board on 28 January 2016.
- ii. The Committee noted a response from the Department of Justice providing information on a proposal for a Directive of the European Parliament and of the Council on combating terrorism to replace Council Framework Decision 2002/475/JHA on combating terrorism.
- iii. The Committee noted correspondence from the Department of Justice advising that the Minister of Justice intends to make an oral statement to the Assembly on 14 March 2016 in relation to the Scoping Study on Children in the Justice System.
- iv. The Committee noted an update from the Department of Justice on the extent of the backlog of cases in the Crown Courts as a result of the dispute with the legal profession.
- v. The Committee noted correspondence from the Department of Justice advising of the Minister of Justice's intention to commence the provisions for child protection disclosures in the Justice Act 2015 on 14 March 2016.
- vi. The Committee noted correspondence from the Department of Justice advising of the publication of National Statistics Bulletin 8/2016 'Experience of Crime: Findings from the 2014/15 Northern Ireland Crime Survey' on 26 February 2016.
- vii. The Committee noted a response from the Department of Justice providing further information on the issues raised in the Research and Information Service Paper on the Department of Justice 2016-17 Budget.
- viii. The Committee noted correspondence from the Committee for Finance and Personnel providing a copy of a response it had received from the Department of Finance and Personnel on issues raised in two Assembly Research papers relating to the Executive's Draft Budget 2016/17.
- ix. The Committee noted an invitation from the Probation Board for Northern Ireland to the 'Probation in Focus' event on 11 March 2016.  

*Agreed:* The Committee agreed that Members should advise the Clerk if they wish to attend the event.
- x. The Committee noted correspondence from the Consumer Council advising of a public consultation on its Draft Corporate Plan 2016-21 and draft Forward Work Programme 2016-17.

#### **14. Chairman's Business**

None.

#### **15. Any Other Business**

None.

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

The next Committee meeting will take place on Thursday 10 March 2016 at 2.00 p.m. in Room 30, Parliament Buildings.

*The Committee agreed to move into closed session to consider the Committee Report on 'Justice in the 21<sup>st</sup> Century'.*

*The meeting moved into closed session at 3.15 p.m.*

#### **17. Consideration and Approval of draft Committee Report on 'Justice in the 21st Century'**

The Committee considered a draft report on its work on innovative approaches for the Criminal Justice System in Northern Ireland entitled 'Justice in the 21<sup>st</sup> Century'.

An amendment was proposed to recommendation 3 to add the words 'whilst regrettable' so that the recommendation read: "The Committee considers that the recently announced rationalisation of the Court Estate by the Minister to the Assembly on 8 February 2016, *whilst regrettable*, provides an opportunity to think creatively about alternative uses for buildings once they cease to be fully functioning courthouses, including transformation into community justice centres which could house voluntary and citizen advisory organisations."

Mr Dickson highlighted that in his view the Minister had to make the court closures given the current budgetary pressures faced by the Department of Justice.

*Agreed:* The Committee agreed to amend recommendation 3 as proposed.

A proposal was made to include a number of photographs in the report.

*Agreed:* The Committee agreed to include photographs in the report.

#### **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 11) as drafted put and agreed to.”

### **Consideration of Innovative Approaches for the Criminal Justice System in Northern Ireland**

The Committee considered the Consideration of Innovative Approaches for the Criminal Justice System in Northern Ireland section of the report.

“Question: That the Committee is content with the Consideration of Innovative Approaches for the Criminal Justice System in Northern Ireland section of the report (paragraphs 12 to 126) as amended put and agreed to.”

### **Key Findings and Recommendations**

The Committee considered the Key Findings and Recommendations of the report.

“Question: That the Committee is content with the Key Findings and Recommendations section of the report as amended put and agreed to.”

### **Appendices**

The Committee considered the Appendices section of the report.

“Question: That the Committee is content that Appendices 1 to 4 be included in the Report put and agreed to.”

*Agreed:* The Committee agreed that it was content for the Report on ‘Justice in the 21<sup>st</sup> Century’ to be published.

*Agreed:* The Committee agreed to provide an embargoed copy of the report to the Minister of Justice.

The Committee discussed the debate on the Report that was scheduled for Tuesday 8 March 2016.

The meeting was adjourned at 3.26 p.m.

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