



**Northern Ireland  
Assembly**

## **COMMITTEE FOR JUSTICE**

### **MINUTES OF PROCEEDINGS**

THURSDAY 12 JANUARY 2017

Room 30, Parliament Buildings, Belfast

- Present: Mr Paul Frew MLA (Chairperson)  
Ms Pam Cameron MLA (Deputy Chairperson)  
Mr Alex Attwood MLA  
Ms Clare Bailey MLA  
Mr Doug Beattie MLA  
Mr Roy Beggs MLA
- In Attendance: Mrs Christine Darrah (Assembly Clerk)  
Ms Marie Austin (Senior Assistant Assembly Clerk)  
Ms Pamela Carson (Assistant Assembly Clerk)  
Ms Leanne Johnston (Clerical Supervisor)  
Ms Allison Ferguson (Clerical Officer)
- Apologies: Mr Trevor Lunn MLA

*The meeting commenced at 2.05 p.m. in open session.*

#### **1. Apologies**

As above.

#### **2. Draft Minutes**

The Committee agreed the minutes of the meeting held on Thursday 8 December 2016.

#### **3. Matters Arising**

##### **Item 1 –January 2017 Monitoring Round**

The Committee noted a response from the Department of Justice providing further information on the January 2017 Monitoring Round.

## **Item 2 – Report of the Working Group on Fatal Fetal Abnormality**

The Committee noted a response from the Minister for Justice providing clarification regarding the intention to publish the Report of the Working Group on Fatal Fetal Abnormality.

## **Item 3 – Development of a Domestic Abuse Offence and Domestic Violence Disclosure Scheme**

The Committee noted a response from the Department of Justice providing further information on the development of a domestic abuse offence and a domestic violence disclosure scheme.

## **Item 4 – Sick Absence Levels in the Youth Justice Agency and the NI Prison Service**

The Committee considered a response from the Department of Justice providing information on the management of sick absence levels in the Youth Justice Agency and the NI Prison Service.

*Agreed:* The Committee agreed to request further information on the reasons for the high level of sick absence in the Youth Justice Agency and the NI Prison Service and what action is being taken to address the problems.

## **Item 5 - Forward Work Programme for January and February 2017**

The Committee noted the Forward Work Programme for January and February 2017 and a number of oral evidence sessions still to be scheduled.

### **4. Criminal Justice Inspection Northern Ireland Report on an Inspection of the arrangements in place in the PSNI to manage and disclose information in support of the Coronial Process in Northern Ireland – Evidence Session with CJINI**

The following officials joined the meeting at 2.15 p.m.

Brendan McGuigan, Chief Inspector, Criminal Justice Inspection Northern Ireland  
William Priestley, Inspector, Criminal Justice Inspection Northern Ireland  
David MacAnulty, Inspector, Criminal Justice Inspection Northern Ireland

Mr McGuigan briefly outlined the key findings and recommendations in the Report on the arrangements in place in the PSNI to manage and disclose information in support of the Coronial Process in Northern Ireland.

The oral evidence was followed by a question and answer session.

The oral evidence session was recorded by Hansard.

The Chairperson thanked the inspectors for their attendance and they left the meeting.

### **5. Criminal Justice Inspection Northern Ireland Report on an Inspection of the arrangements in place in the PSNI to manage and disclose information in support of the Coronial Process in Northern Ireland – Evidence Session with Officials**

The following officials joined the meeting at 2.55 p.m.

Assistant Chief Constable Mark Hamilton, PSNI  
Colin Stafford, Head of Legacy Support Unit, PSNI  
Peter Luney, Head of Court Operations, NI Courts and Tribunals Service  
Mandy McKay, Business Manager, Legacy and Coronial Services, NI Courts and Tribunals Service

The officials outlined the initial response of the PSNI and the NI Courts and Tribunals Service to the findings and recommendations in the Criminal Justice Inspection NI Report on the arrangements in place in the PSNI to manage and disclose information in support of the Coronial Process in Northern Ireland.

The oral evidence was followed by a question and answer session.

*Mr Attwood joined the meeting at 3.11 p.m.*

The oral evidence session was recorded by Hansard.

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

## **6. Legislative Consent Motion: Criminal Finances Bill**

The Committee considered the Legislative Consent Memorandum in respect of the Criminal Finances Bill which the Department of Justice had laid in the Assembly on 6 January 2017 and which contained provisions in relation to detained money and free property not previously highlighted by the Department.

*Agreed:* The Committee agreed that it was content with the proposals to extend the provisions relating to ‘detained money’ and ‘free property’ in the Criminal Finances Bill to Northern Ireland by way of a Legislative Consent Motion.

*Agreed:* The Committee agreed that it was content to support the Minister of Justice in seeking the Assembly’s endorsement of the Legislative Consent Motion:

*“That this Assembly endorses the principle of the extension to Northern Ireland of the provisions of the Criminal Finances Bill, as amended at Public Bill Committee Stage in the House of Commons, dealing with: The Proceeds of Crime as contained in Part 1 and some minor and consequential amendments in Part 4.”*

## **7. SR 2016/405: The Magistrates’ Courts (Licensing) (Amendment) Rules (Northern Ireland) 2016**

The Committee considered SR 2016/405: The Magistrates’ Courts (Licensing) (Amendment) Rules (Northern Ireland) 2016 which will amend Part III of the Magistrates’ Courts (Licensing) Rules (Northern Ireland) 1997 which govern practice and procedure regarding renewal of a licence in the Magistrates’ Courts, including the documents to be lodged with applications or produced to the court. The amendments are required as a consequence of provision made by the Licensing Act (Northern Ireland) 2016 for outdoor stadia designated as being of importance to the whole of Northern Ireland to renew a licence to sell liquor.

*Agreed:* The Committee considered SR 2016/405: The Magistrates’ Courts (Licensing) (Amendment) Rules (Northern Ireland) 2016 and had no objection to the Rule.

## **8. SR 2016/413: The Police Service of Northern Ireland (Promotion) (Amendment) Regulations 2016**

The Committee considered SR 2016/413: The Police Service of Northern Ireland (Promotion) (Amendment) Regulations 2016 which will make changes to PSNI promotion regulations to enable it to participate in a revised fast-track promotion scheme overseen by the College of Policing for constables deemed suitable by the Chief Constable for more rapid access to the higher ranks within policing.

*Agreed:* The Committee considered SR 2016/413: The Police Service of Northern Ireland (Promotion) (Amendment) Regulations 2016 and had no objection to the Rule.

## **9. SL1: The Postal Administration Rules (Northern Ireland) 2017**

The Committee considered a proposal by the Department of Justice to make a Statutory Rule to provide the procedure for a special postal administration regime to ensure the continuance of the universal postal service in the event that a company providing that service is at risk of entering insolvency proceedings, as required by the Postal Services Act 2011.

*Agreed:* The Committee agreed to seek the views of the Committee for the Economy on the proposed Statutory Rule before reaching a decision given the Department for Economy is responsible for insolvency policy

## **10. SL1: The County Court (Amendment) Rules (Northern Ireland) 2017**

The Committee considered a proposal by the Department of Justice to make a Statutory Rule to amend Appendix 2 of the County Court Rules (Northern Ireland) 1981 to update the scale costs, which are used for privately funded legal services, payable to solicitors and barristers in proceedings in the County Court following a review carried out by the County Court Rules Committee.

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

## **11. Review of the Need for Stalking Legislation in Northern Ireland**

The Committee noted a research paper on the incidence and prevalence of stalking in Northern Ireland.

The Committee discussed the handling arrangements for the seminar and oral evidence sessions for the Review of the Need for Stalking Legislation in Northern Ireland.

*Agreed:* The Committee agreed the proposed arrangements for an oral evidence event including the list of organisations to give evidence, the format and the location.

*Agreed:* The Committee agreed in principle to undertake a visit to England to the Hampshire Stalking Clinic and a Family Drug and Alcohol Court and preparatory work on possible arrangements should be taken forward.

*Agreed:* The Committee agreed that arrangements should be made to hold to an informal meeting with a former stalker who had submitted written evidence.

## **12. Family Care Proceedings Pilot – Information Paper**

The Committee noted information provided by the Department of Justice on the current position regarding the Family Care Proceedings Pilot which was established as part of a staged approach to reform the family justice system.

## **13. Correspondence**

- i. The Committee noted correspondence from the Minister for Justice regarding the resignation of the Prisoner Ombudsman, Tom McGonigle and a public appointment process to appoint a successor.
- ii. The Committee noted correspondence from the Department of Justice providing data on the number of convictions under stalking legislation in Scotland.
- iii. The Committee noted correspondence from the Department of Justice providing clarification regarding the Northern Ireland Modern Slavery and Human Trafficking Strategy 2016/17 and the sections of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act 2015 it covers.
- iv. The Committee noted correspondence from the Department of Justice advising that the Minister of Justice had signed a Commencement Order in respect of the Justice Act (Northern Ireland) 2015 to enable a new Witness Charter to be placed on a Statutory footing.
- v. The Committee noted correspondence from the Department of Justice providing further information in relation to the internal prison investigation following the Serious Self Harm Incidents by Sean Lynch in Maghaberry Prison.
- vi. The Committee noted correspondence from the Department of Justice providing a copy of the Secretary of State's bi-annual statement on the security situation in Northern Ireland.
- vii. The Committee noted correspondence from the Department of Justice advising of the publication of Official Statistics Bulletin 31/2016 'Perceptions of Crime: Findings from the 2015/16 Northern Ireland Crime Survey.'
- viii. The Committee noted correspondence from the Department of Justice providing a copy of a letter from the Justice Minister to the Chief Commissioner of the Northern Ireland Human Rights Commission in relation to the Modern Slavery (Transparency in Supply Chains) Bill currently progressing through Westminster.
- ix. The Committee noted correspondence from the Department of Justice providing further information following the oral evidence session on 24 November 2016 on the Nature and Impact of Organised Crime in Northern Ireland and Emerging Threats.
- x. The Committee noted correspondence from the Office of the Speaker advising that a public petition titled, 'Abortion Law Reform in Northern Ireland' was laid in the Assembly on 22 November 2016 by Ms Claire Bailey MLA.

- xi. The Committee considered correspondence from the Office of the Speaker advising that a public petition titled, ‘Promotion of the Protection of Unborn Children in Northern Ireland’ was laid in the Assembly on 28 November 2016 by Mr Jim Wells and an issue was raised regarding the content of the petition.
- Agreed:* The Committee agreed that further information on the position regarding petitions, and their content, should be provided to Members.
- xii. The Committee considered correspondence from the Public Accounts Committee providing a copy of a letter from a prisoner in Maghaberry Prison regarding his concerns about the misuse of public money by Maghaberry Prison.
- Agreed:* The Committee agreed to forward the letter to the Department of Justice and ask that it respond directly to the individual and provide a copy of the response.
- xiii. The Committee noted correspondence from the Committee for the Executive Office providing a copy of its letter to the Minister for Justice requesting information on the number of complaints received by the Department of Justice regarding maladministration by the Police Ombudsman’s Office and related information.
- xiv. The Committee noted correspondence from the Committee for the Executive Office advising that its report on the Executive’s Draft Programme for Government 2016-21 was published on 14 December 2016 and highlighting a number of the recommendations.
- xv. The Committee noted a copy of the Northern Ireland Courts and Tribunals Service Trust Statement 2015-16.
- xvi. The Committee considered a request from the McGuck’s Bar Families Committee for a meeting with the Committee to present new evidence uncovered as part of its Campaign.
- Agreed:* The Committee agreed that an informal meeting should be arranged.
- xvii. The Committee noted correspondence from the Northern Ireland Commissioner for Children and Young People providing a copy of her response to the Northern Ireland Executive on the draft Programme for Government.
- xviii. The Committee noted correspondence from the Children’s Law Centre providing a paper presented by Professor Helen Stalford on Brexit and Implications for Children at a seminar on 6 December 2016.
- xix. The Committee noted an invitation from the Northern Ireland Human Rights Commission to its annual lecture on ‘East meets West: A personal history of genocide and crimes against humanity’ at the Inn of Court, Royal Courts of Justice, Belfast, on Tuesday 17 January 2017.
- Agreed:* The Committee agreed that Members should advise the Clerk if they wished to attend the event.
- xx. The Committee noted an invitation to an event highlighting Mediation for Consumer Disputes in the Long Gallery, Parliament Buildings on Tuesday 17 January 2017.

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

- xxi. The Committee noted correspondence from the Department of Justice providing further information regarding the recruitment process for the Director of Reducing Offending.
- xxii. The Committee noted correspondence from the Department of Justice advising of the appointment of Mr Ronnie Armour as the new Director of Reducing Offending.
- xxiii. The Committee noted correspondence from the Department of Justice providing further information following the oral evidence session with the Minister of Justice on 1 December 2016 requested on the key justice issues and priorities.
- xxiv. The Committee noted correspondence from the Department of Justice advising that the Minister for Justice had signed two commencement orders in respect of the Criminal Evidence (Northern Ireland) Order 1999 and the Justice Act (Northern Ireland) 2011, to extend the Registered Intermediaries Schemes to the Magistrates' Court for a trial period and to provide for the piloting of pre-recorded cross examination at Belfast Crown Court for vulnerable and intimidated witnesses.
- xxv. The Committee noted correspondence from the Department of Justice providing a copy of the Witness Charter for Witnesses of Crime'.

#### **14. Chairperson's Business**

The Chairperson advised the Committee that he and other Members of the Committee had held a very useful meeting with Mr Luke Bloomer to discuss the Family Drug and Alcohol Courts currently operating in England.

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

There was no other business.

#### **16. Date, Time and Place of the next meeting**

The next meeting will be held on Thursday 19 January 2017 at 3.00 p.m. in Room 30, Parliament Buildings.

The meeting was adjourned at 4.12 p.m.

**Mr Paul Frew MLA**  
**Chairperson, Committee for Justice**