



**Northern Ireland
Assembly**

COMMITTEE FOR JUSTICE

MINUTES OF PROCEEDINGS

THURSDAY 8 DECEMBER 2016

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 Roy Beggs MLA
 - Ms Michaela Boyle MLA
 - Mr Sammy Douglas MLA
 - Mr Declan Kearney MLA
 - Mr Trevor Lunn 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 Pat Sheehan MLA

The meeting commenced at 2.04 p.m. in open session.

1. Apologies

As above.

2. Draft Minutes

The Committee agreed the minutes of the meeting held on Thursday 1 December 2016 with two amendments.

3. Matters Arising

Item 1 – Report of the Working Group on Fatal Fetal Abnormality

The Committee noted relevant extracts from Hansards and previous correspondence from the Minister of Justice on the establishment of the Working Group on Fatal Fetal Abnormality.

Item 2 – Supplementary Assembly Research and Information Services Paper on Sentencing Guidelines Mechanisms in Other Jurisdictions

The Committee noted a supplementary research paper on the Sentencing Council in England and Wales and the Lord Chief Justice’s Sentencing Group in Northern Ireland.

Item 3 – National Crime Agency Response on Fresh Start Funding Bid

The Committee noted a response from the Director General of the National Crime Agency providing an update on the position in relation to bids for Fresh Start Funding.

Item 4 – Committee Response on the Draft Programme for Government 2016/21

The Chairperson advised the Committee that a response on the Draft Programme for Government 2016/21 and draft Department of Justice Delivery Plans covering the issues and comments agreed at the meeting on 1 December had been sent to the Committee for the Executive Office for inclusion in its report that would be published and presented to the First Minister and deputy First Minister.

Agreed: The Committee agreed to forward a copy of the response to the Minister of Justice and ask her to consider the issues and recommendations of the Committee.

Agreed: The Committee agreed to request the results of the consultation being undertaken by the Department of Justice on the draft delivery plans and the changes it intends to make as a result of the consultation.

4. Forward Work Programme

The Committee considered an outline Forward Work Programme for January and February 2017 setting out the oral evidence sessions to be scheduled and the written briefing papers to be considered at the meeting on 12 January 2016.

Agreed: The Committee agreed to schedule a visit to Woodlands Juvenile Justice Centre on 9 February 2017.

Agreed: The Committee agreed the outline Forward Work Programme for January and February 2017.

5. Department of Justice January 2017 Monitoring Round Position

The following officials joined the meeting at 2.11 p.m.

Glyn Capper, Deputy Director, Financial Services Division, Department of Justice
Louise Blair, Financial Services Division, Department of Justice
Lisa Rocks, Financial Services Division, Department of Justice

The officials outlined the Department of Justice's January Monitoring Round position.

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

The officials agreed to provide further information on several issues.

The oral evidence session was recorded by Hansard.

Mr Douglas left the meeting at 2.43 p.m.

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

Agreed: The Committee agreed to schedule a visit to the Risk Avoidance Danger Awareness Resource Centre (RADAR) in 2017.

6. Creation of a Domestic Abuse Offence and a Domestic Violence Disclosure Scheme – Update on Progress

The following officials joined the meeting at 2.46 p.m.

Steven McCourt, Deputy Director, Community Safety Division, Department of Justice
Martine McKillop, Head of Crime Reduction Branch, Department of Justice
Joanne McPadden, Crime Reduction Branch, Department of Justice
Detective Chief Superintendent George Clarke, Police Service of Northern Ireland

The officials provided an update on the current position regarding the development of a Domestic Abuse Offence and a Domestic Violence Disclosure Scheme.

Mr Douglas rejoined the meeting at 2.50 p.m.

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

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

The oral evidence session was recorded by Hansard.

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

7. Tackling Paramilitary Activity, Criminal and Organised Crime – Update on the Implementation of the Executive Action Plan

The Committee noted correspondence from the Committee for the Executive Office providing a copy of the Hansard of its oral evidence session on 30 November 2016 with the First Minister and deputy First Minister on tackling paramilitary action.

The following officials joined the meeting at 3.38 p.m.

Anthony Harbinson, Director, Safer Communities Directorate, Department of Justice
Karen Pearson, Head of Protection and Organised Crime Division, Department of Justice
Katie Taylor, Protection and Organised Crime Division, Department of Justice

Mr Douglas declared an interest as a Member of the Tackling Paramilitarism Programme Board.

The officials provided an update on progress to deliver the Executive's Action Plan on 'Tackling Paramilitary Activity, Criminality and Organised Crime'.

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

Mr Lunn left the meeting at 4.07 p.m.

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

The oral evidence session was recorded by Hansard.

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

8. Legislative Consent Motion: Criminal Finances Bill

The Committee considered further information provided by the Department of Justice on the proposed Legislative Consent Motion relating to the Criminal Finances Bill.

Agreed: The Committee agreed that it was content with the Department of Justice's proposal to extend provisions in the Criminal Finances Bill to Northern Ireland by way of a Legislative Consent Motion.

9. Draft Statutory Rule: Department of Justice Retention and Disposal Schedule

Mr Kearney left the meeting at 4.44 p.m.

The Committee considered the Department of Justice Retention and Disposal Schedule, which specifies the minimum requirements for the retention and disposal of departmental records and information.

Agreed: The Committee considered the Department of Justice Retention and Disposal Schedule and has no objection to it.

10. SL1: Police (Injury Benefit) Regulations (Northern Ireland) 2016

The Committee considered a proposal by the Department of Justice to make a Statutory Rule to enable PSNI Pensions Branch to deduct Employment Support Allowance from an injury on duty pension on a point forward basis ensuring recipients do not receive duplicate payments for the same injury.

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

11. SL1: Judicial Pensions (Amendment) Regulations (Northern Ireland) 2017

The Committee considered a proposal by the Department of Justice to make a Statutory Rule, under powers conferred by the Public Services Pensions Act (NI) 2014, to amend the Judicial Pension Scheme Regulations (Northern Ireland) 2015 to ensure that the scheme complies with EU law by extending transitional protection portability to eligible fee-paid judges and to remove negligence as a basis for withholding a pension.

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

12. SL1: The Witness Charter (Justice Act (Northern Ireland) 2015) Order (Northern Ireland) 2017

The Committee considered a proposal by the Department of Justice to make a Statutory Rule under Section 31 (3) of the Justice Act (Northern Ireland) 2015 to bring the Witness Charter for Witnesses of Crime into operation.

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

13. SL1: Crown and Magistrates' Courts (Amendment) Rules (Northern Ireland) 2016 – Video Recorded Cross – Examination Special Measure

The Committee considered further information provided by the Department of Justice in relation to a proposal for a Statutory Rule to amend the Crown Court Rules (Northern Ireland) 1979 and the Magistrates' Court Rules (Northern Ireland) 1984 to modify the current special measures applications process by prescribing the procedure for making an application to video record the cross-examination or re-examination or re-examination of a witness under Article 16 of the Criminal Evidence (Northern Ireland) Order 1999 and for an associated direction to be made by the Court in respect of that application.

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

14. Correspondence

- i. The Committee considered a response from the Department of Justice providing further information on the reasons for sick absences for each of the departmental business areas where the level of sickness was above the target level of 9.2 days, the estimated sick absence levels for 2015/16 and the corresponding PSNI data for 2014/15 and 2015/16.

Agreed: The Committee agreed to request further information on the action being taken to address the high levels of sick absence in the Youth Justice Agency and the NI Prison Service and whether the reduction in staff as a result of the Voluntary Exit Scheme has impacted on sick absence levels in both organisations.

- ii. The Committee noted a response from the Department of Justice providing further information on the Departmental Monthly Forecast Outturn Data for August 2016/17.
- iii. The Committee noted the Northern Ireland Judicial Appointments Ombudsman Annual Report 2015-16.

- iv. The Committee considered a request from the Joint Chairs of the Panel of Experts on Redress for a meeting to discuss the issue of the Time Bar on Historical Abuse Cases under the Limitations (NI) Order 1989 and options to remove it in cases of Institutional Abuse.

Agreed: The Committee agreed to invite Members of the Panel of Experts on Redress to attend a Committee meeting in early January 2017 to discuss the issues relating to the Time Bar on Historical Abuse Cases.

- v. The Committee considered the Criminal Justice Inspection Northern Ireland Report on the arrangements in place in the PSNI to manage and disclose information in support of Legacy Inquests.

Mr Kearney rejoined the meeting at 4.56 p.m.

Agreed: The Committee agreed to schedule oral evidence sessions with Criminal Justice Inspection Northern Ireland and relevant officials in the New Year.

- vi. The Committee noted a copy of the PSNI response to the Committee for Infrastructure on the role of the PSNI in the management of major incidents of traffic congestion.

15. Chairperson's Business

Item 1 – Christmas Cards

The Chairperson advised Members that he would send Christmas cards to the main Justice Stakeholders on behalf of the Committee.

Item 2 – Freedom of Information Requests

The Committee considered arrangements for dealing with Freedom of Information requests received during the recess period.

Agreed: The Committee agreed to delegate authority to the Chairperson and Deputy Chairperson to submit, during recess period, views on the releasing or withholding of the information on any non-routine/contentious Freedom of Information requests received. The Committee would be advised of any such requests.

16. Any Other Business

There was no other business.

17. Date, Time and Place of the next meeting

The next meeting will be held on Thursday 12 January 2017 at 2.00 p.m. in Room 30, Parliament Buildings.

The meeting was adjourned at 5.02 p.m.

Mr Paul Frew MLA
Chairperson, Committee for Justice