



**Northern Ireland  
Assembly**

## **COMMITTEE FOR JUSTICE**

### **MINUTES OF PROCEEDINGS**

THURSDAY 24 NOVEMBER 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  
Mr Pat Sheehan MLA

In Attendance: Mrs Christine Darrah (Assembly Clerk)  
Ms Marie Austin (Senior Assistant Assembly Clerk)  
Ms Pamela Carson (Assistant Assembly Clerk)  
Ms Allison Ferguson (Clerical Officer)

*The meeting commenced at 2.02 p.m. in open session.*

#### **1. Apologies**

There were no apologies.

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

The Committee agreed the minutes of the meeting held on Thursday 17 November 2016.

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

*Ms Boyle joined the meeting at 2.05 p.m.*

*Mr Sheehan joined the meeting at 2.06 p.m.*

## **Item 1 – Minister of Justice’s Attendance at Committee on 1 December 2016**

The Committee noted that the Minister of Justice is scheduled to attend the meeting on 1 December 2016 to discuss a range of issues including Fresh Start Funding, the Department’s legislative programme and her key priorities.

*Agreed:* The Committee agreed to advise the Minister that Members also wished to discuss Prison Reform and the current situation in Maghaberry Prison, the current position on Legal Aid Reform and the decision making process surrounding her statement in relation to proposed court closures.

## **Item 2 – Legislative Consent Motion: Policing and Crime Bill**

The Committee noted a response from the Minister of Justice confirming she would give a commitment to the Assembly during the debate on the Legislative Consent Motion regarding provision for maritime hot pursuit powers for PSNI officers as requested by the Committee and has asked her officials to look at the scale of other anomalies that may need to be addressed in relation to heterosexual offences.

## **4. Nature and Impact of Organised Crime in Northern Ireland and Emerging Threats – Evidence Session with the Organised Crime Task Force**

The following officials joined the meeting at 2.08 p.m.

Anthony Harbinson, Director, Safer Communities Directorate, Department of Justice  
Andrea McMullan, Detective Chief Superintendent, Police Service for NI  
Steve Tracey, Assistant Director, Organised Crime NI, Fraud Investigation Service, HM Revenue and Customs  
Jenny Bell, Head of Investigations, National Crime Agency

The officials outlined the nature and impact of organised crime in Northern Ireland, the emerging threats and the work of the Organised Crime Task Force.

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.

*Agreed:* The Committee agreed to schedule an oral evidence session with the National Crime Agency’s Cyber Crime Unit.

*Agreed:* The Committee agreed to schedule a further oral evidence session with the Organised Crime Task Force in 6 months’ time.

## **5. Committee Review of the Need for Stalking Legislation in Northern Ireland – Evidence Session with the Department of Justice on the research/work it has undertaken**

The following officials joined the meeting at 4.04 p.m.

Brian Grzymek, Deputy Director, Access to Justice Directorate, Department of Justice  
Graham Walker, Head of Criminal Law Branch, Department of Justice

The officials outlined the work the Department of Justice has undertaken so far in relation to stalking legislation.

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

*Mr Kearney left the meeting at 4.17 p.m.*

The officials agreed to provide data on conviction rates under Stalking Legislation in Scotland.

*Mr Lunn left the meeting at 4.53 p.m.*

*Ms Boyle left the meeting at 4.59 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 – Evidence Session with Departmental Officials**

The following officials joined the meeting at 5 p.m.

Karen Pearson, Deputy Director, Protection and Organised Crime Division,  
Department of Justice  
Julie Wilson, Head of Organised Crime Branch, Department of Justice  
Siobhan McKelvey, Protection and Organised Crime Division, Department of Justice

The officials outlined the key issues relating to the proposal to extend provisions in the Criminal Finances Bill to Northern Ireland by way of a Legislative Consent Motion.

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.

*Agreed:* The Committee agreed to consider the proposed Legislative Consent Motion further when the additional information is available.

*Agreed:* The Committee agreed to indicate in the meantime that it supported, in relation to unexplained wealth orders, the view of the Police Service for Northern Ireland that the £100,000 threshold should be reduced or tailored to Northern Ireland needs.

## **7. SR: The Civil Legal Services (Scope) (No.2) Regulations (Northern Ireland) 2016**

The Committee considered SR: The Civil Legal Services (Scope) (No.2) Regulations (Northern Ireland) 2016 which will amend Schedule 2 of the Access to Justice (Northern

Ireland) Order 2003, to provide that representation in a court of summary jurisdiction in relation to applications for Slavery and Trafficking Prevention Orders and applications for Violent Offences Prevention Orders may be funded as civil legal services.

*Agreed:* The Committee considered SR: The Civil Legal Services (Scope) (No.2) Regulations (Northern Ireland) 2016 and recommended that it be affirmed by the Assembly.

**8. SR 2016/386: The Attorney General’s Human Rights Guidance (Cooperation and Operational Independence) Order (Northern Ireland) 2016**

The Committee considered SR 2016/386: The Attorney General’s Human Rights Guidance (Cooperation and Operational Independence) Order (Northern Ireland) 2016 which will bring into operation the Attorney General’s Human Rights Guidance for the PSNI, Public Prosecution Service and Forensic Science NI on human rights standards relevant cooperation and institutional independence.

*Agreed:* The Committee considered SR 2016/386: The Attorney General’s Human Rights Guidance (Cooperation and Operational Independence) Order (Northern Ireland) 2016 and had no objection to the Rule.

**9. SL1: The Court of Judicature Fees (Amendment) Order (Northern Ireland) 2017**

The Committee considered a proposal by the Department of Justice to make a Statutory Rule to increase existing fees charged for the delivery of civil and family court business in the Court of Judicature in Northern Ireland by 10% from 1 April 2017, a further 7.5% from 1 April 2018 and a further 5% from April 2019.

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

**10. SL1: The Family Proceedings Fees (Amendment) Order (Northern Ireland) 2017**

The Committee considered a proposal by the Department of Justice to make a Statutory Rule to increase existing fees charged for the delivery of civil and family court business in respect of Family Proceedings in Northern Ireland by 10% from 1 April 2017, a further 7.5% from 1 April 2018 and a further 5% from April 2019.

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

**11. SL1: The Judgement Enforcement Fees (Amendment) Order (Northern Ireland) 2017**

The Committee considered a proposal by the Department of Justice to make a Statutory Rule to increase existing fees charged for the delivery of civil and family court business in the Enforcement of Judgments Office in Northern Ireland by 10% from 1 April 2017, a further 7.5% from 1 April 2018 and a further 5% from April 2019.

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

## **12. SL1: The Magistrates' Courts Fees (Amendment) Order (Northern Ireland) 2017**

The Committee considered a proposal by the Department of Justice to make a Statutory Rule to increase existing fees charged for the delivery of civil and family court business in the Magistrates' Court in Northern Ireland by 10% from 1 April 2017, a further 7.5% from 1 April 2018 and a further 5% from April 2019.

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

## **13. SL1: The County Court Fees (Amendment) Order (Northern Ireland) 2017**

The Committee considered a proposal by the Department of Justice to make a Statutory Rule to increase existing fees charged for the delivery of civil and family court business in the County Court in Northern Ireland by 10% from 1 April 2017, a further 7.5% from 1 April 2018 and a further 5% from April 2019.

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

## **14. SL1: The Court of Judicature (Non-Contentious Probate) Fees (Amendment) Order (Northern Ireland) 2017**

The Committee considered a proposal by the Department of Justice to make a Statutory Rule to increase existing fees charged for the delivery of civil and family court business in the Court of Judicature in Northern Ireland in relation to non-contentious probate fees by 10% from 1 April 2017, a further 7.5% from 1 April 2018 and a further 5% from April 2019.

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

## **15. Draft Programme for Government 2016-2021 and Department of Justice Draft Delivery Plans – Committee Discussion**

The Committee discussed the Draft Programme for Government 2016-2021 and Department of Justice draft Delivery Plans and identified a range of issues for inclusion in a draft response.

*Agreed:* The Committee agreed to consider the matter further once the Department had provided further information requested.

## **16. Witness Charter for Witnesses of Crime – Results of the Consultation and Revised Draft Charter**

The Committee considered information provided by the Department of Justice on the results of a consultation on the draft Witness Charter for witnesses of crime and the revised Charter.

*Agreed:* The Committee noted the results of the consultation and agreed that it was content with the draft Witness Charter for witness of crime.

## **17. Education Provision in Woodlands Juvenile Justice Centre: Transfer of Responsibility to the Education Authority – Information Paper**

The Committee noted information provided by the Department of Justice on the current position in relation to the transfer of education provision in Woodlands Juvenile Justice Centre to the Education Authority.

*Agreed:* The Committee agreed to schedule a visit to the Woodlands Juvenile Justice Centre.

## **18. Correspondence**

- i. The Committee noted a response from the Department of Justice providing information on a number of issues following the oral evidence session on 13 October 2016 on the Draft Budget 2017-18.
- ii. The Committee considered a response from the Department of Justice providing further information on the work the Northern Ireland Prison Service intended to undertake in relation to the issues raised in recent CJINI inspection reports regarding the availability of drugs and mental health provision in prison.

*Agreed:* The Committee agreed to request a copy of the action plans and timescales in relation to the Review of the current Drug and Alcohol Policy and the development of a Strategy to Manage Substance Abuse in Custody when they are finalised.

- iii. The Committee noted the response from the Department of Justice providing further information on the Executive's Action Plan to tackle paramilitary activity, criminality and organised crime and Fresh Start Funding.
- iv. The Committee noted a response from the Minister of Justice regarding the arrangements for managing and allocating funding under the Fresh Start Agreement and clarifying the evidence provided by departmental officials on 20 October 2016.
- v. The Committee noted a response from the Minister of Finance in relation to the availability of UK Government funding under the Fresh Start Agreement.
- vi. The Committee noted a response from the Minister for Communities regarding the provision of UK Government funding under the Fresh Start Agreement and any impact on the delivery of programmes.
- vii. The Committee considered correspondence from the Committee for the Executive Office requesting views on its European priorities for 2017 and details of the Committee's work on European issues in the last year. The Committee noted that this issue will be scheduled for substantive discussion.
- viii. The Committee noted correspondence from the Committee for Finance providing a copy of a Department of Finance briefing paper on the work of its Supply Division and the new In-Year Monitoring Process.
- ix. The Committee noted a copy of correspondence from the Committee for Infrastructure to the Chief Constable of the PSNI, in relation to a major traffic congestion incident in Belfast on 15 November 2016 and the role of the PSNI in managing such incidents.

- x. The Committee considered correspondence from His Honour Judge Marrinan regarding a Review of the Judicial Appointment process.

*Agreed:* The Committee agreed to advise Judge Marrinan that it will be reviewing its key work priorities in the New Year and will consider the proposed Review of Judicial Appointments again at that stage.

- xi. The Committee noted an invitation to the Woodlands Juvenile Justice Centre Christmas Carol Service on 16 December 2016.

*Agreed:* The Committee agree that Members should advise the Clerk if they wished to attend the Carol Service.

- xii. The Committee considered the Criminal Justice Inspection Northern Ireland Report on an announced visit to Maghaberry Prison to review the progress against the nine inspection recommendations made in 2015.

*Agreed:* The Committee agreed that oral evidence sessions with Criminal Justice Inspection Northern Ireland and Northern Ireland Prison Service officials on the report should be scheduled in the New Year.

## **19. Chairperson's Business**

There was no Chairperson's business.

## **20. Any Other Business**

The Draft Budget 2017/18 and the possibility of a recall of the Assembly during Christmas Recess for a statement on it by the Minister of Finance was raised.

*Agreed:* The Committee agreed that consideration would be given to the timing of an oral evidence session as soon as it was clear when detailed information on the Department of Justice draft 2017/18 Budget will be available.

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

The next meeting will be held on Thursday 1 December 2016 at 2.00 p.m. in Room 30, Parliament Buildings.

The meeting was adjourned at 6.16 p.m.

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