



Northern Ireland  
Assembly

## Committee for Justice

### Minutes of Proceedings

**THURSDAY 29 FEBRUARY 2024**

**Room 30, Parliament Buildings, Belfast**

**Present:** Deirdre Hargey MLA (Deputy Chairperson)  
Doug Beattie MLA  
Maurice Bradley MLA  
Stewart Dickson MLA  
Sinéad Ennis MLA  
Ciara Ferguson MLA

**Present by Video or Teleconference:**

Alex Easton MLA  
Justin McNulty MLA

**Apologies:** Joanne Bunting MLA (Chairperson)

**In Attendance:** Caroline Perry (Assembly Clerk)

Kathy O'Hanlon (Senior Assistant Assembly Clerk)

Jonny Redpath (Assistant Assembly Clerk)

Aaron Pakenham (Clerical Supervisor)

*The Committee agreed to start the meeting in closed session to receive a briefing from the Assembly's Research and Information Service (RaISe) on Committee engagement with departmental budgets.*

*The meeting commenced at 2.03pm in closed session.*

## **1. Apologies**

As above.

## **2. Budget Scrutiny and Department of Justice Budgetary Issues**

Senior Researcher Eileen Regan and Research Officer Nathan Mulholland from the Assembly Research and Information Service briefed the Committee on Committee engagement with departmental budgets.

*Justin McNulty joined the meeting at 2.05pm.*

*Alex Easton joined the meeting at 2.05pm.*

*Sinéad Ennis joined the meeting at 2.16pm.*

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

*The meeting moved into public session at 2.25pm.*

**Agreed:** The Committee agreed that the oral evidence session with departmental officials from the Justice Delivery Directorate on the Department's budget

and the session on the overview of the Justice Delivery Directorate would be recorded by Hansard.

### **3. Draft Minutes**

*Agreed:* The Committee agreed the minutes of the meeting held on Thursday 22 February 2024.

### **4. Matters Arising**

#### Item 4.1 — Correspondence from the Clerk to the Committee for Finance

The Committee was advised that, further to the issue that was discussed at last week's Committee for Justice meeting, a memo was received from the Clerk to the Committee for Finance regarding residential properties at Victoria Square, Belfast.

*Agreed:* The Committee agreed to note the item of correspondence and to take no further action on the matter until the relevant Departments have clarified their responsibilities.

#### Item 4.2 — Correspondence from the Clerk to the Committee for Agriculture, Environment and Rural Affairs

The Committee was advised that, further to the issue that was discussed at last week's Committee for Justice meeting, a memo was received from the Clerk to the Committee for Agriculture, Environment and Rural Affairs regarding residential properties at Victoria Square, Belfast.

*Agreed:* The Committee agreed to note the item of correspondence and to take no further action on the matter until the relevant Departments have clarified their responsibilities.

## **5. Justice Delivery Directorate: Overview Briefing on the Department of Justice Budget**

Deborah Brown, Director of the Justice Delivery Directorate; Richard Logan, Deputy Director of the Financial Services Division; and Andrea Quail, Head of Financial Planning, Strategy and Support, joined the meeting at 2.29pm.

The witnesses provided an overview of the Department of Justice's budget.

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

The oral evidence session was reported by Hansard.

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

## **6. Justice Delivery Directorate: Overview Briefing**

Deborah Brown, Director of the Justice Delivery Directorate; John Napier, Deputy Director of the Information Services Division; Steven Allison, Deputy Director of the Enabling Access to Justice Division; David Lennox, Deputy Director of the Corporate Engagement and Communications Division; and Paul Andrews, Chief Executive of the Legal Services Agency, joined the meeting at 3.08pm.

The witnesses provided an overview of the Justice Delivery Directorate of the Department of Justice.

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

The oral evidence session was reported by Hansard.

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

*Agreed:* The Committee agreed to write to the Department to seek clarification or more information on a number of matters discussed during the two evidence sessions.

**7. SR 2023/138 The Coronavirus Act 2020 (Extension of Provisions Relating to Live Links for Courts and Tribunals) (No. 2) Order (Northern Ireland) 2023**

The Committee considered SR 2023/138 The Coronavirus Act 2020 (Extension of Provisions Relating to Live Links for Courts and Tribunals) (No. 2) Order (Northern Ireland) 2023, which will extend the provisions in the Coronavirus Act 2020 which allow courts and statutory tribunals to receive evidence wholly or in part through the use of audio or video links until 24 March 2024.

The Committee noted that the Examiner of Statutory Rules had raised no issues with regard to the technical aspects of the Rule.

*Agreed:* The Committee for Justice considered SR 2023/138 The Coronavirus Act 2020 (Extension of Provisions Relating to Live Links for Courts and Tribunals) (No. 2) Order (Northern Ireland) 2023 and had no objection to the Rule.

**8. SR 2022/123 The Magistrates' Courts (Licensing) (Amendment) Rules (Northern Ireland) 2022**

The Committee considered SR 2022/123 The Magistrates' Courts (Licensing) (Amendment) Rules (Northern Ireland) 2022, which amend the Magistrates' Courts Licensing Rules (Northern Ireland) 1997 following amendments to the Licensing (Northern Ireland) Order 1996 by the Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021.

The Committee noted that the Examiner of Statutory Rules had raised no issues with regard to the technical aspects of the Rule.

*Agreed:* The Committee noted SR 2022/123 The Magistrates' Courts (Licensing) (Amendment) Rules (Northern Ireland) 2022.

**9. SR 2022/129 The Police Service of Northern Ireland (Amendment) Regulations 2022**

The Committee considered SR 2022/129 The Police Service of Northern Ireland (Amendment) Regulations 2022, which made provision to change public holidays for the PSNI to reflect the UK Government's decision to move the last bank holiday in May 2022 from Monday 30 May to Thursday 2 June and to grant an additional holiday for Friday 30 June for HM Queen's 70th anniversary as monarch.

The Committee noted that, in her last report of the 2017-22 mandate, the Examiner of Statutory Rules drew attention to drafting errors and stated that she was content with the Department's assurance that it would seek to correct those errors at the earliest opportunity.

*Agreed:* The Committee noted SR 2022/129 The Police Service of Northern Ireland (Amendment) Regulations 2022.

**10. SR 2022/148 The Police Pensions (Amendment) Regulations (Northern Ireland) 2022**

The Committee considered SR 2022/148 The Police Pensions (Amendment) Regulations (Northern Ireland) 2022, which amends the Police Pension Regulations (Northern Ireland) 2015 to ensure that the prospective part of the McCloud judgment can be implemented by closing the police legacy schemes on 31 March 2022 and moving all active police pension scheme members to the 2015 Scheme on 1 April 2022.

The Committee noted that the Examiner of Statutory Rules had raised no issues with regard to the technical aspects of the Rule.

*Agreed:* The Committee noted SR 2022/148 The Police Pensions (Amendment) Regulations (Northern Ireland) 2022.

### **11. SR 2023/68 The Crown Court (Amendment) Rules (Northern Ireland) 2023**

The Committee considered SR 2023/68 The Crown Court (Amendment) Rules (Northern Ireland) 2023, which makes a number of amendments to Crown Court Rules in respect of overseas production orders. These take account of amendments made to the Crime (Overseas Production Orders) Act 2019 by the Police, Crime, Sentencing and Courts Act 2022.

The Committee noted that the Examiner of Statutory Rules had raised no issues with regard to the technical aspects of the Rule.

*Agreed:* The Committee noted SR 2023/68 The Crown Court (Amendment) Rules (Northern Ireland) 2023.

### **12. SR 2023/164 The Court of Judicature (Non-Contentious Probate) Fees (Amendment) Order (Northern Ireland) 2023**

The Committee considered SR 2023/164 The Court of Judicature (Non-Contentious Probate) Fees (Amendment) Order (Northern Ireland) 2023, which relates to an increase in the fees charged for the delivery of civil and family court business. It will also prescribe a fee for a certified or sealed copy of a grant or any other document in the non-contentious probate business area. The Rule is not subject to any Assembly proceedings.

*Agreed:* The Committee noted SR 2023/164 The Court of Judicature (Non-Contentious Probate) Fees (Amendment) Order (Northern Ireland) 2023.

### **13. SR 2023/165 The Judgment Enforcement Fees (Amendment) Order (Northern Ireland) 2023**

The Committee considered SR 2023/165 The Judgment Enforcement Fees (Amendment) Order (Northern Ireland) 2023, which relates to an increase in the fees charged for the delivery of civil and family court business. Money Judgment enforcement application fees will be excluded from the inflationary uplift. The Rule is not subject to any Assembly proceedings.

*Agreed:* The Committee noted SR 2023/165 The Judgment Enforcement Fees (Amendment) Order (Northern Ireland) 2023.

**14. SR 2023/166 The County Court Fees (Amendment) Order (Northern Ireland) 2023**

The Committee considered SR 2023/166 The County Court Fees (Amendment) Order (Northern Ireland) 2023, which relates to an increase in the fees charged for the delivery of civil and family court business. The Rule will also prescribe fees for new licensing applications which can be brought to court as a consequence of the licensing reforms introduced by the Department for Communities under the Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021. The Rule is not subject to any Assembly proceedings.

*Agreed:* The Committee noted SR 2023/166 The County Court Fees (Amendment) Order (Northern Ireland) 2023.

**15. SR 2023/167 The Family Proceedings Fees (Amendment) Order (Northern Ireland) 2023**

The Committee considered SR 2023/167 The Family Proceedings Fees (Amendment) Order (Northern Ireland) 2023, which relates to an increase in the fees charged for the delivery of civil and family court business. The Rule also includes the fee for certification of a pending action for the purpose of registering it as a burden affecting land. The Rule is not subject to any Assembly proceedings.

*Agreed:* The Committee noted SR 2023/167 The Family Proceedings Fees (Amendment) Order (Northern Ireland) 2023.

**16. SR 2023/169 The Court of Judicature Fees (Amendment) Order (Northern Ireland) 2023**

The Committee considered SR 2023/169 The Court of Judicature Fees (Amendment) Order (Northern Ireland) 2023, which relates to an increase in the fees charged for the delivery of civil and family court business. Variable taxation fees will



be excluded from the inflationary uplift. The Rule is not subject to any Assembly proceedings.

*Agreed:* The Committee noted SR 2023/169 The Court of Judicature Fees (Amendment) Order (Northern Ireland) 2023.

**17. SR 2023/170 The Magistrates' Courts Fees (Amendment) Order (Northern Ireland) 2023**

The Committee considered SR 2023/170 The Magistrates' Courts Fees (Amendment) Order (Northern Ireland) 2023, which relates to an increase in the fees charged for the delivery of civil and family court business. The Rule will also prescribe fees for new licensing applications which can be brought to court as a consequence of the licensing reforms introduced by the Department for Communities under the Licensing and Registration of Clubs (Amendment) Act (Northern Ireland) 2021. The Rule is not subject to any Assembly proceedings.

*Agreed:* The Committee noted SR 2023/170 The Magistrates' Courts Fees (Amendment) Order (Northern Ireland) 2023.

**18. SR 2022/235 (C. 24) The Offensive Weapons Act 2019 (Commencement No. 1) Order (Northern Ireland) 2022**

The Committee considered SR 2022/235 (C. 24) The Offensive Weapons Act 2019 (Commencement No. 1) Order (Northern Ireland) 2022, which brings into force provisions in the Offensive Weapons Act 2019 relating to the offence of having a corrosive substance in a public place.

*Agreed:* The Committee noted SR 2022/235 (C. 24) The Offensive Weapons Act 2019 (Commencement No. 1) Order (Northern Ireland) 2022.

**19. SR 2023/87 (C. 6) The Justice (Sexual Offences and Trafficking Victims) (2022 Act) (Commencement No. 1) Order (Northern Ireland) 2023**

The Committee considered SR 2023/87 (C. 6) The Justice (Sexual Offences and Trafficking Victims) (2022 Act) (Commencement No. 1) Order (Northern Ireland) 2023, which commences provisions of the Justice (Sexual Offences and Trafficking Victims) Act (Northern Ireland) 2022.

*Agreed:* The Committee noted SR 2023/87 (C. 6) The Justice (Sexual Offences and Trafficking Victims) (2022 Act) (Commencement No. 1) Order (Northern Ireland) 2023.

**20. SR 2023/142 (C. 9) The Justice (Sexual Offences and Trafficking Victims) (2022 Act) (Commencement No. 2) Order (Northern Ireland) 2023**

The Committee considered SR 2023/142 (C. 9) The Justice (Sexual Offences and Trafficking Victims) (2022 Act) (Commencement No. 2) Order (Northern Ireland) 2023, which commences provisions of the Justice (Sexual Offences and Trafficking Victims) Act (Northern Ireland) 2022.

*Agreed:* The Committee noted SR 2023/142 (C. 9) The Justice (Sexual Offences and Trafficking Victims) (2022 Act) (Commencement No. 2) Order (Northern Ireland) 2023.

**21. SR 2023/188 (C. 11) The Justice (Sexual Offences and Trafficking Victims) (2022 Act) (Commencement No. 3) Order (Northern Ireland) 2023**

The Committee considered SR 2023/188 (C. 11) The Justice (Sexual Offences and Trafficking Victims) (2022 Act) (Commencement No. 3) Order (Northern Ireland) 2023, which commences provisions of the Justice (Sexual Offences and Trafficking Victims) Act (Northern Ireland) 2022.

*Agreed:* The Committee noted SR 2023/188 (C. 11) The Justice (Sexual Offences and Trafficking Victims) (2022 Act) (Commencement No. 3) Order (Northern Ireland) 2023.

## **22. SL1 The Police Pensions (Amendment) Regulations (Northern Ireland) 2024**

The Committee considered a proposal for a Statutory Rule, which would make amendments to the Royal Ulster Constabulary Pensions Regulations 1988; the Police Pension (Northern Ireland) Regulations 2009; and the Police Pensions Regulations (Northern Ireland) 2015.

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

## **23. Forward Work Programme**

The Committee noted the updated Forward Work Programme

## **24. Correspondence**

- i. The Committee considered correspondence from the organisation Business in the Community, which included an invitation to the Committee to hold an external meeting and a request to present to the Committee.

*Agreed:* The Committee agreed to note this item and to consider an informal meeting at a future date.

- ii. The Committee considered an invitation from the Northern Ireland Human Rights Commission (NIHRC) to attend its 25<sup>th</sup> anniversary celebration.

*Agreed:* Members will contact the NIHRC directly should they wish to attend.

The Committee noted the following:

- iii. correspondence from the Department of Justice outlining quarterly statistics bulletins for October to December 2023 for the Northern Ireland Courts and Tribunals Service;
- iv. correspondence from the Committee for Finance providing the 'Report on the 2022 Review of the Effects of the Public Service Pensions Act (Northern Ireland) 2014';

- v. a first-day briefing paper from Barnardo's Northern Ireland and a request to be on the Committee's stakeholder list;
- vi. an introduction to the independent policy think tank group Pivotal, including links to its reports and recommendations; and
- vii. an investment activity report for February 2024 from Investment Strategy for Northern Ireland.

## **25. Chairperson's Business**

The Deputy Chairperson updated Members on a meeting that she had with members of the Independent Monitoring Board for Northern Ireland.

## **26. Any other Business**

The Committee agreed to a request by Committee Member Justin McNulty for the Committee to write to the CEO of Women's Aid Armagh Down to congratulate her and her team on a recent anniversary conference.

## **27. Date, Time and Place of Next Meeting**

The Deputy Chairperson advised Members that the next Committee meeting will take place on 7 March 2024 at 2.00pm in Room 30, Parliament Buildings.

*The Meeting was adjourned at 4.24pm.*

Joanne Bunting MLA

Chairperson, Committee for Justice