



**Northern Ireland  
Assembly**

**COMMITTEE FOR JUSTICE**

**MINUTES OF PROCEEDINGS**

THURSDAY 4 FEBRUARY 2021

Senate Chamber, Parliament Buildings, Belfast

Present: Mr Paul Givan MLA (Chairperson)  
Ms Linda Dillon MLA (Deputy Chairperson)\*  
Mr Doug Beattie MLA\*  
Ms Sinéad Bradley MLA\*  
Ms Jemma Dolan MLA\*  
Mr Gordon Dunne MLA  
Mr Paul Frew MLA  
Ms Rachel Woods MLA\*

\* These Members attended the meeting via video conferencing.

Apologies: Ms Emma Rogan MLA

In Attendance: Mrs Christine Darrah (Assembly Clerk)  
Mrs Kathy O'Hanlon (Senior Assistant Clerk)  
Miss Leanne Johnston (Assistant Clerk)

*The meeting commenced at 2.06 p.m. in public session.*

*Agreed:* The Committee agreed that the oral evidence sessions should be reported by Hansard.

## **1. Apologies**

As above.

The Clerk informed the Committee that, under Standing Order 115(6), Emma Rogan MLA had delegated authority to the Deputy Chairperson, Linda Dillon MLA, to vote on her behalf.

## **2. Draft Minutes**

*Agreed:* The Committee agreed the minutes of the meeting held on 28 January 2021.

### **3. Matters Arising**

#### Item 1 – Letter from the Minister of Justice regarding a Death in Custody

The Committee noted correspondence from the Minister of Justice regarding a death in custody of a prisoner in HM Prison Maghaberry.

#### Item 2 – Letter from the Minister of Justice regarding the Retirement of the Director of Prisons

The Committee considered correspondence from the Minister of Justice regarding the pending retirement of the Director of Prisons and the appointment of his successor.

*Agreed:* The Committee agreed that the Chairperson should write to the Director of Prisons to thank him for his service and send best wishes for his retirement.

#### Item 3 – Information from FOIL in relation to the Personal Injury Discount Rate

The Committee noted further information provided by the Forum of Insurance Lawyers (FOIL) following the informal meeting with Committee Members on issues relating to the Personal Injury Discount Rate.

#### Item 4 - Committee Forward Work Programme – February 2021

The Committee noted the Forward Work Programme for February 2021.

### **4. Criminal Justice (Committal Reform) Bill**

The following representatives of the Bar of Northern Ireland joined the meeting at 2.09 p.m.:

Michael Forde BL, Member of the Bar of Northern Ireland  
Heather Phillips BL, Member of the Bar of Northern Ireland

The representatives provided an outline of key issues in relation to the Criminal Justice (Committal Reform) Bill.

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

The oral evidence session was reported by Hansard.

The Chairperson thanked the representatives for their attendance.

*Agreed:* The Committee agreed that the issues raised during the session should be incorporated into the summary of evidence table which would be forwarded to the Department for a written response following completion of all the oral evidence sessions on the Bill.

The Chairperson advised the Committee that representatives of the Law Society and the Public Prosecution Service would attend to give evidence on the Bill at the meeting on 11 February 2021.

## **5. Draft Budget 2021-22**

The following officials joined the meeting at 3.29 p.m.:

Lisa Rocks, Deputy Director, Financial Services Division, Department of Justice

Andrea Quail, Head of Financial Planning, Strategy and Support, Department of Justice

Louise Blair, Head of Financial Planning and Support, Department of Justice

The officials outlined key issues in relation to the Department of Justice's Draft Budget 2021-22 settlement.

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

The officials agreed to provide further information on an issue discussed during the session.

The oral evidence session was reported by Hansard.

The Chairperson thanked the officials for their attendance.

*Agreed:* The Committee agreed that a response to the Committee for Finance summarising the areas and issues discussed during the evidence session should be prepared for consideration at the meeting on 11 February.

## **6. Criminal Justice (Committal Reform) Bill – Analysis of Human Rights Compliance**

The Committee noted an assessment completed by the Department of Justice and the Departmental Solicitor's Office of the European Convention on Human Rights (ECHR) implications of the Criminal Justice (Committal Reform) Bill and a note on relevant international human rights law focusing on elements specifically highlighted by the Northern Ireland Human Rights Commission.

## **7. Domestic Abuse and Civil Proceedings Bill – Domestic Abuse Offence Guidance**

The Committee considered a copy of the Domestic Abuse Offence Guidance developed by the Department of Justice which it intended to publish, in accordance with Clause 30 of the Bill, once it has been granted Royal Assent.

*Agreed:* The Committee agreed to request further information on a range of issues and an update on the likely timescales to commence the legislation from the Department of Justice.

## **8. Police, Crime, Sentencing and Courts Bill – Proposed Legislative Consent Motion**

The Committee noted additional information provided by the Department of Justice on the proposed Legislative Consent Motion (LCM) in relation to the Police, Crime, Sentencing and Courts Bill including additional provisions to be included in the Bill and confirmation that the Executive has considered and agreed the proposal to bring forward the LCM.

*Agreed:* The Committee agreed to consider the proposal for the LCM further when the Police, Crime, Sentencing and Courts Bill and the timescale for laying the LCM is available.

## **9. Recruitment and Retention Allowance for County Court Judges – Update**

The Committee noted an update provided by the Department of Justice regarding the payment of a recruitment and retention allowance to eligible County Court Judges in Northern Ireland for the 2019-20 financial year arising from a Determination made by the Lord Chancellor.

## **10. Assets Recovery Community Scheme Budget – Plans for 2021-22 Financial Year**

The Committee considered correspondence from the Minister of Justice regarding the current position in relation to projects funded by the 2020-21 Assets Recovery Community Scheme and her intention, on an exceptional basis, to provide funding in 2021-22 to those projects that could not be fully delivered in line with the 2021-22 grant due to Covid-19 restrictions and to keep under review the receipts coming in from confiscation hearings before opening a new call for applications to the scheme.

*Agreed:* The Committee agreed to request details of the projects that have been affected and as a consequence will continue to be funded in 2021-22.

## **11. Correspondence**

- i. The Committee considered a response from the Minister of Justice regarding a data breach by the Coroners Service Northern Ireland in relation to an inquest into the death of Neil McConville resulting in the identification of former police officers and the follow-up actions taken in relation to the incident.

*Agreed:* The Committee agreed to forward a copy of the Minister's response to the Chairman of the Northern Ireland Retired Police Officers' Association who raised the issue with the Committee.

- ii. The Committee considered correspondence from the Speaker of the Northern Ireland Assembly advising of a Public Petition laid by Gerry Carroll MLA regarding "The Removal of Fines for Protestors Following Social Distancing" and the response from the Minister of Justice to the Speaker on the petition.

*Agreed:* The Committee agreed to request an update from the Department on how it is engaging on the wider issues relating to the enforcement of the Health Protection Regulations and how it intends to engage further with the Committee.

- iii. The Committee considered correspondence from the Committee for Communities to the Minister of Justice regarding a delay in tenders and seeking her support to ensure the continuation of the tender in respect of the 'Woman Involved in Community Transformation' project.

*Agreed:* The Committee agreed to request a copy of the Minister of Justice's response to the Committee for Communities.

The Committee noted the following:

- iv. A response from the Department of Justice providing further information on a number of actions in the 2019-20 progress report relating to the Modern Slavery Strategy and the new timescales for completion of those actions.
- v. A response from the Public Accounts Committee in relation to the potential for a further inquiry into “Managing Legal Aid”.
- vi. Correspondence from the Committee for the Executive Office providing a copy of Terms of Reference for the Executive Committee meeting to deal with EU Exit matters as set out in the New Decade New Approach which replaces the Brexit sub-committee of the Executive.
- vii. The Investment Strategy Northern Ireland – Department of Justice’s Procurement Activity Report for January 2021.

## **12. Chairperson’s Business**

None.

## **13. Any Other Business**

None.

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

The next meeting will be held on Thursday 11 February 2021 at 2.00 p.m. in Room 30, Parliament Buildings.

The meeting was adjourned at 4.56 p.m.

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