

COMMITTEE FOR JUSTICE
RESPONSE TO THE COMMITTEE FOR FINANCE
DEPARTMENT OF JUSTICE 2022-25 DRAFT BUDGET

Introduction

1. The 2022-25 Draft Budget¹ document published by the Department of Finance on 13 December 2021 states that the focus has been on providing significant additional resources for transforming the health service and for improving health outcomes overall. As the funding provided by the Chancellor's Spending Review falls short of what was needed to fund the Executive priorities, the Draft Budget proposes that other Departments contribute 2% of their opening baseline towards the health service.

2. The Northern Ireland Fiscal Council's assessment of the 2022-25 Draft Budget² contends that the Block Grant settlement for this Budget is larger than expected by most observers. The press release accompanying the publication of the report states that the 2% cut to provide extra money for health sounds even-handed, but the proposed distribution of the increased Block Grant creates relative winners and losers among the Departments and there is little explanation of the choices made.³ The report indicates that all Departments will gain money with the exception of the Department of Justice which will lose around 1% taken as an average over the three years and compared to the baseline.

3. Department of Justice officials attended the Committee for Justice meeting on 20 January 2022 to provide oral evidence on the Department's 2022-25 Draft Budget. In advance of the session, the Committee was provided with a Consequences Document outlining the impact of the Draft Budget 2022-25 for

¹ https://www.finance-ni.gov.uk/sites/default/files/publications/dfp/Northern%20Ireland%20Draft%20Budget%202022-25_0.pdf

² <https://www.nifiscalcouncil.org/files/nifiscalcouncil/documents/2022-01/nifc-budget-report-jan-2022-full-final-version-19.01.22-14.30.pdf>

³ https://www.nifiscalcouncil.org/files/nifiscalcouncil/documents/2022-01/ni-fiscal-council-budget-assessment-press-release-20.01.22_2.pdf

the Department of Justice, which was subsequently published on the Department's website along with the Equality Screening Form.⁴

4. The Department had previously provided the Committee with its response to the information gathering exercise undertaken in preparation for the Draft Budget and copies of the capital bid and resource bid templates submitted to the Department of Finance, as well as further information requested by the Committee on a number of issues relating to the resource bids.
5. To help inform its consideration of the multi-year budget, the Committee received oral evidence from the Youth Justice Agency (YJA), the Probation Board for Northern Ireland (PBNI), the Northern Ireland Prison Service (NIPS), the Northern Ireland Courts and Tribunals Service (NICTS), the Police Service of Northern Ireland (PSNI), and the Law Society and the Bar Council. The Committee also discussed the Draft Budget with the Minister of Justice at a meeting on 15 February 2022.
6. The Committee wrote to the Northern Ireland Policing Board to request its views on the Draft Budget allocation for the Board and on the PSNI budget position, given that it accounts for a significant proportion of the Department's budget. The Committee also requested the written views of the Department's other Non-Departmental Public Bodies on the likely implications/pressures arising from their indicative Budget allocation for 2022-25.

Department of Justice 2022-25 Draft Budget

Non-ringfenced Resource DEL

7. In its Consequences Document, the Department states that its Resource baseline is already 9% lower than in 2011-12 and that a 2% reduction is therefore significant and is not achievable without significant impact to frontline services in police, prisons, courts and legal services. It states

⁴ <https://www.justice-ni.gov.uk/publications/department-justice-draft-budget-2022-25-consequences-document>

“the Draft Resource Budget 2022-25 for the DoJ is not just difficult, it is damaging to the justice system. It will have a direct impact on vulnerable groups and victims, with further implications from failure to deliver against statutory responsibilities and increased ‘downstream’ costs for the justice system, the health service and the wider public sector; its consequences will severely impact public confidence and would have a detrimental impact on frontline services which contribute to public safety and preservation of life.”

8. The Minister is clear that she cannot support the 2022-25 Draft Budget, given the significant impact on the justice system.
9. The Department of Justice points out that, although the Budget seeks to prioritise Health, support for good mental and physical health is not delivered by the Department of Health alone and the contribution of the justice system should not be overlooked.
10. The Department’s Resource baseline is £1,117.6m for 2022-23, £1,128.7m for 2023-24 and £1,122.0 for 2024-25 representing no increase for the first year and increases of 1% and 0.4% respectively for the following years. This includes a general allocation of £5.3m in 2022-23, £13.8m in 2023-24 and £6.4m in 2024-25 which the Department states is not sufficient to alleviate the significant impact on frontline services, given the 2% reduction and inescapable pressures.
11. There are also specific allocations for PSNI staffing and Domestic and Sexual Abuse each year. The Department points out, however, that the baseline also includes Security funding which should not count as it is provided directly to the PSNI by the NIO and that the Domestic and Sexual Abuse funding is cross-cutting. When these are removed, it calculates the revised percentage change to the baseline as -0.1% in 2022-23, 0.7% in 2023-24 and 0.1% in 2024-25.

Capital DEL

12. The Draft Budget provides capital funding of £100m in 2022-23, £124.9m in 2023-24 and £128.5m in 2024-25, which is an increase from the £96.4m allocation in 2021-22. The Department states that the allocation is sufficient to meet inescapable capital requirements; however, in light of the Draft Resource Budget, consideration will have to be given to the resource requirements associated with capital projects and whether it is feasible and affordable to progress certain projects.

Summary of Key Issues

13. The Committee's consideration of the Draft Budget has been based on the headline figures for spending areas provided by the Department, the oral evidence received and the views of the Non-Departmental Public Bodies.

14. The written briefing papers and correspondence received by the Committee on the 2022-25 Draft Budget will be published on the Committee's website.

15. The key issues set out in this response are just some of the outcomes of the Draft Budget that have been highlighted to the Committee and more details are provided in the written and oral information received. The Committee is aware that the impact will be felt right across the justice sector and Section 3 and Annex A of the Department of Justice's Consequences Document provides information on the consequences of the 2022-25 Draft Resource Budget for a wide range of business areas, Agencies and NDPBs.

Headcount

16. Staffing accounts for a significant proportion of the budget in a number of justice organisations. The Department has advised that 11 Agencies or NDPBs across the justice system have indicated that they may need to reduce headcount in order to live within the Draft Budget allocation.

17. The Chief Constable has, on a precautionary basis, deferred the intake of 85 student officers planned for March 2022. While 90% of the funding for officers comes from the main budget allocation, funding for the remainder is made up from a variety of different streams including non-recurrent funding. It was therefore considered prudent not to incur the significant recurring financial commitment for those officers until there is more certainty on the budget settlement for policing. It should be noted that these additional officers would have increased the headcount to 7,100 and was a step towards the New Decade New Approach (NDNA) commitment of 7,500. Instead of moving further towards that target, the Committee has heard that the number of officers may in fact decrease by 1,000 to 15% below that level over the three-year period if the final budget reflects the draft allocation, while support staff numbers would also reduce by 350.

18. In its evidence to the Committee, the YJA advised that 77% of the Agency's budget is allocated to staffing with the remainder required for the running costs of premises and buying in services. The officials believe that it may be possible with careful management to live within the draft allocation for the first year, primarily by not filling vacancies that have arisen in the Juvenile Justice Centre where the demand for places reduced during the pandemic. They acknowledged, however, that if demand increased staff may need to be replaced as the level of resources required directly relates to the demand for services.

19. The Prison Service advised that staffing levels would need to be reduced at a time when the prison population is increasing significantly due to the recovery of the justice system and the increasing number of prisoners on remand. 70% of the NIPS budget is allocated to staffing and any necessary reduction in staffing to live within budget cannot be achieved immediately and will take time to deliver the necessary financial reductions. A final budget settlement in line with the Draft Budget will require recruitment to cease on 1 April 2022 with vacancies not being filled, which would lead to a reduction of 84 staff over each of the next two years.

20. The Probation Board staff costs account for 85% of its budget allocation and it also outlined significant potential staffing reductions, advising that the Draft Budget would require a reduction in established posts equivalent to 15, 25 and 33 probation officers respectively each year over the budget period. This may mean limited recruitment, if any, over the period and PBNI expressed concern about the effect that a continual decrease on staffing will have on other staff and on attrition rates. In addition, the Committee is aware of a long-running issue with regard to the pay structure for the Probation Board which impacts on the ability to recruit and retain social work staff. Work to modernise the pay structure is ongoing and that may help to retain staff who may otherwise be lost to other sectors. However, the minimum cost across the budget period is expected to be £1.3m which is additional to the shortfalls of £1m, £1.55m and £1.8m already estimated for successive budget years. A further concern is an overall shortage of social workers across Northern Ireland and the Committee has written to the Minister of Health to ask that steps are taken as soon as possible to address this issue.

21. The requirement to reduce headcount in order to live within budget was also cited by other NDPBs in their written responses. Criminal Justice Inspection Northern Ireland (CJINI) advised that it has reluctantly taken the decision to cut a full time Inspector position. The Office of the Police Ombudsman (OPONI) advised that, to make savings, it expects that it will need to rely on attrition and a freeze on future recruitment to reduce headcount while the Northern Ireland Police Fund (NIPF) advised of the potential for a reduction in staff to live within budget.

Impact on Service Delivery

22. While the staffing issues detailed above will undoubtedly have an effect on what can be delivered, decreases in headcount by themselves are unlikely to achieve the level of reduction in expenditure that may be required in each organisation. The Department was unable to advise if all spending areas will

be able to fully meet their statutory functions but instead advised that this will be worked through as part of the final budget settlement.

23. The reductions in budgets will not only impact the organisation concerned but also the wider criminal justice system. A reduction in capacity in Forensic Science Northern Ireland (FSNI), for example, would mean delays to PSNI investigations and cases progressing through the courts. In addition, victims may be impacted as some cases may not be investigated or may take longer to progress. FSNI's ability to drive forward innovation, develop new scientific techniques or avail of new technologies would also be affected.

24. The PSNI advised in its written briefing that it is continuing to work through scenarios but, as payroll savings will be insufficient to address the funding gap, there will be an impact on infrastructure and support services affecting IT systems, fleet, estates and training. During the oral evidence session, the Chief Constable advised that they will try to maintain neighbourhood policing but there can be no guarantee that it will not be affected. Other areas of work that may need to be considered are the response times for non-urgent calls, road policing or outreach work such as school visits. Although the PSNI would aim to deal with anti-social behaviour as it happens, it may be necessary for it to pass on longer-term issues for delivery partners to manage. It will also be necessary to balance investigations of current crimes with high profile retrospective investigations such as Muckamore Abbey Hospital.

25. During their oral evidence session, the NIPS outlined a number of measures that could have to be taken that would serve to reduce the progress and reforms that have been made over recent years. Members heard that it may be necessary to close parts of various facilities which would mean over 700 of those in custodial settings having to share cells, although this may rise if the prison population continues to increase. Reduced staffing levels reduces the opportunity for staff to engage with prisoners and increases the risk to prisoners and staff within the prisons. In addition, a reduction in educational or

other rehabilitative services and in the funding provided to partners in the community and voluntary sector is likely to increase the risk of reoffending.

26. The NIPS officials also advised of their concern at the number of prisoners on remand and the length of time they are on remand. Currently, 39% of the prison population are on remand which is much higher than other jurisdictions and increases pressures on the Prison Service. Further delays in other parts of the justice system, such as the courts, will exacerbate those issues further. In that regard, the Committee has been advised that a reduction in court sittings and potential court closures combined with the impact of Covid may mean that delays in court cases could last until 2027. This will delay access to justice and impact on victims and witnesses, families and children and also increases the risk of case attrition and unlawful detention.

27. In both their written and oral briefings, the Probation Board outlined the need to make revisions and adjustments to practice standards which comes on top of deviations to standards that have already been made over recent years. This could mean fewer risk assessments being completed and reduced levels of contact and interaction with service users including fewer home visits for all risk levels. The consequences would be unsafe working levels for staff, increased likelihood of reoffending and a heightened risk of harm to the public.

28. OPONI advised that there may be a detrimental impact on the time taken for investigations and the ability of the Police Ombudsman to undertake other important work may also be limited. CJINI advised that the budget reductions will have a significant impact on its ability to provide sufficient inspection coverage across the organisations in its statutory remit and independent assurance to the public and all stakeholders, including the Committee and the Minister of Justice. Some risks will not be identified at an early stage and there will be missed opportunities to take action to deliver a better criminal justice system for all.

Early intervention and problem-solving justice

29. Much of the non-statutory work carried out across the justice sector relates to early intervention and problem solving justice (PSJ). These are often interventions that require upfront investment at an early stage, but have the potential to make a significant impact on reoffending and will save costs in the longer term.
30. The Department advised that the number of young people in custody or referred by the Court or PPS for statutory intervention has fallen over a number of years as the number and range of YJA earlier stage diversion interventions has increased. While there is no robust evidence to demonstrate categorically that these are directly related, anecdotal evidence from parents and children post-intervention would suggest that they are. The YJA advised that there may be no option but to reduce early intervention work in order to protect statutory services.
31. The Probation Board advised it is a key partner in a number of problem solving justice initiatives such as the Enhanced Combination Order (ECO), the Substance Misuse Court (SMC) and the Domestic Abuse Behavioural Change Programme (Promoting Positive Relationships Programme – PRRP), all of which have had positive findings when evaluated. The ECO, for example, has been subject to evaluation by NISRA which found a reduction in the reoffending rate for those who completed the order and a reduction in the number of prison sentences of 12 months or less imposed by the courts. It estimated the cost of an ECO to be approximately £9,000 compared to a prison sentence of 12 months which, in 2017-18, was estimated at £55,300. An Economic Impact Assessment of the ECO pilot by the Ulster University Economic Policy Centre identified an expected net benefit of £5.7m - £8.3m per year if the orders were to be rolled out. The assessment also suggested ECOs may have a positive impact on the lives of service users' families and could also benefit the wider community. The Probation Board advised that the draft allocation for the first year of the budget period is sufficient to allow the continuation of the current programmes for ECO, SMC and PRRP and a part-year roll out of the ECO project but beyond this period there is no scope to continue the roll out of the PSJ strategy.

32. The SMC is also a problem solving justice approach which allows a judge to direct an individual onto an intensive treatment programme, before sentencing, to help address their addictions and change their behaviour. An evaluation in March 2020 demonstrated that those who completed the programme showed a significant reduction in drug and alcohol misuse and a significant reduction in the risk of reoffending. The cost of the SMC at Laganside to the NICTS is currently £450k per annum. Further roll out over the budget period would almost double these costs therefore consideration will need to be given to the extent to which the SMC could be rolled out.

Cross-cutting services

33. The written and oral information received highlighted the number of services and initiatives that justice bodies deliver or purchase from other public bodies that have a positive impact and help avoid costs in other areas of public expenditure, in particular the Department of Health. Much of this work is non-statutory and therefore may be at risk from budget reductions.

34. One such initiative is the community-based Child and Adolescent Mental Health Services (CAMHS) pilot undertaken by the YJA in two areas. Although the statutory responsibility for CAMHS rests with the Department of Health, YJA has co-funded, at a cost of £55,000 in 2021-22, dedicated mental health workers for children and adolescents in response to challenges that young people faced in accessing much-needed mental health services from Trusts in a way that best meets their needs. The Agency has advised that this has had 'remarkable' results – historically, 60% of young people referred to 'core' CAMHS dropped out of the service with only 14% completing the course with aim achieved compared to a drop-out rate of 12% from the dedicated YJA service with 88% completing the course with aim achieved. It had been hoped that this community-based CAMHS service would be extended to other areas over the next three years, however, the Committee has been advised that this will be unlikely given the Draft Budget and that, instead, it will be difficult to

maintain the service in the two existing areas. The Committee is aware that the YJA also pays for other services including an in-reach CAMHS in the Juvenile Justice Centre, which it intends to protect as far as possible from the impact of the Draft Budget, and for education other than at school (EOTAS) provision. While there may be co-operation and collaboration with regard to the delivery of services, there is no budget sharing.

35. The Probation Board has similarly advised that many service users have difficulty in accessing mental health services in the community and its psychologists therefore intervene. It delivers a number of services directly in conjunction with the Health Trusts while others provide referral mechanisms to users that take demand out of the health and social care system. These include ECOs, Secondary Services Programme, the ASPIRE project, the Engage programme and Protect Life.
36. During their oral evidence session, the PSNI advised that they regularly deal with individuals with mental health, drug or alcohol problems; while the solutions to the problems rests with the health service it is often the case that the police will have to step in. In the last few months over 2,000 calls were received from the ambulance service when it could not attend an incident; in around half, ambulance personnel did not turn up at all and police were required to take the individuals concerned to hospital.
37. A nurse-led custody healthcare service has operated at Musgrave Police Station since 2018 and an outreach nurse-led service was extended to Antrim custody suite in January 2022, providing healthcare for over 50% of all people detained by police. Figures suggest a reduction of almost 44% of people detained in Musgrave custody suite being transferred to hospital while the diversion of police officers from frontline duties also reduced by 4,500 hours. The PSNI contributes 80% of funding for this service with the remaining 20% provided by the Department of Health.
38. The NICTS supports a number of tribunals introduced by legislation from other Departments. These include the Planning Appeals Commission and

Water Appeals Commission created by the Planning Act (NI) 2011 (now the responsibility of the Department for Infrastructure) which was absorbed by the NICTS without additional funding to manage the financial impact. The Review Tribunal has responsibility for referrals for deprivation of liberty as introduced by the Mental Capacity Act 2016 (Department of Health legislation) and the Department has advised that discussions are ongoing with the Department of Health to consider how best to deal with the growing resource pressures this brings.

Access to Justice

39. As noted previously, delays across the justice system will have an impact on access to justice for victims and witnesses and also for defendants.
40. An additional concern is the reduction in the legal aid budget. The Committee received a written briefing from Legal Aid Services Northern Ireland (LSANI) which pointed out that legal aid is demand-led and, subject to conditions being met, an application will be granted without reference to funding available to pay for the service delivered. In her oral evidence, the Minister advised of her view that legal aid is part of the overall welfare system as people in need require access to justice.
41. Over recent years, LSANI's opening baseline has not been sufficient to meet demand and the shortfall in requirements has had to be found through in-year funding. LSANI advised that, in the absence of additional funding the only way it can accommodate a reduction in funding is to increase the time taken to pay bills and estimates that, by the end of the budget period, the payment delay could reach 47 weeks.
42. In their oral evidence, the Law Society and the Bar Council outlined the significant implications that a delay of that magnitude in receiving payment would have on the legal profession, particularly given the length of time taken for some cases to complete. Most law firms provide legal aid services and smaller firms in particular are dependent on prompt payment to be

sustainable. Some may not be able to continue to trade given the impact the delays will have on cash flow while others may reduce their legal aid work. This will have an impact on access to justice and is expected to be more noticeable in rural areas where firms tend to be smaller. In respect of the Bar, the impact is expected to be more keenly felt by young people just joining the profession for whom it may be more difficult to have to wait for payment given their limited cashflow, and by women who do not receive workplace benefits such as maternity pay as barristers are self-employed. This could be particularly detrimental to family law, as 80% of family bar membership is female.

Transformation and Modernisation

43. The Draft Investment Strategy for Northern Ireland⁵ points out that the justice system is too slow and delivered from facilities that are often antiquated and use outdated technology. It states that investment is needed to:

- enable the greater use of remote hearings, improve the online submission of documents and speed up the payment of fines
- deliver a more consistent standard of accommodation, facilities and services for all court and tribunal users
- focus on digitisation in the Prison Service to improve staff and prisoner safety, enhance prisoner independence and family connectivity and maximise efficiency
- provide new police training facilities to enable and support new policing models and technology
- rationalise police headquarters, implement shared administration systems and develop new analytic capabilities to meet the needs of policing in the twenty-first century.

44. The Department has provided the Committee with updates on the Digital Justice Strategy 2020-25 which has been in place since July 2020. The

⁵ <https://isni.gov.uk/wp-content/uploads/2022/01/Infrastructure-2050-draft-Investment-Strategy-for-Northern-Ireland-FINAL.pdf>

strategy aims to help ensure a co-ordinated approach to digital developments and maximise opportunities to deliver a more effective justice system under the themes of digital communication and skills, a more effective justice system and innovation. The Committee has also noted the 'Vision for the Modernisation of Courts and Tribunals' which was published by the NICTS in March 2021 and includes four overarching programmes – Digital Modernisation, Service Design; People; and Estates Modernisation. Work is currently ongoing to identify resource costs associated with implementation and capital requirements are currently estimated at £44m, which will enable a modernised technical and estate infrastructure to be established.

45. The Committee is also aware of the increased use of alternative ways of working as a consequence of the Covid 19 pandemic, including the use of audio and visual links in court hearings and virtual visits for families of prisoners. The Committee has recently approved a Statutory Rule to temporarily extend the use of audio and visual links in court hearings and understands that the Department intends to bring forward legislation in the next mandate to put permanent provision in place.
46. In its written response dated 9 February, the Department provided information on the plans for transformation for business areas within the Department. These include, for example, plans to develop new or modernise existing case management systems in a number of organisations, which are expected to deliver a range of benefits such as improvements in information security, better recording and availability of case information, improved management information, improved information sharing and less duplication of information.
47. Digital transformation and modernisation has been a key priority for policing in recent years; however, this requires investment over time to replace and renew technology and may therefore need to be reduced.
48. Such transformation will require capital investment. Although the Department has advised that the capital allocation is sufficient to meet inescapable capital requirements, there is not likely to be large sums available to develop new facilities and systems and consideration will need to be given as to whether

certain projects can be progressed given the resource requirements associated with capital projects.

49. The need to continue to transform the justice system to ensure it is more responsive, efficient and effective is clear and any reduction in the plans and work to take this forward is short-sighted and will simply result in more expensive processes and systems remaining in place much longer with the associated costs and inefficiencies.

Other issues

50. The Draft Budget does not include any funding for Covid 19 recovery. The Department has advised that, without this additional funding, delay in courts will continue and suggests, as noted above, that the backlogs would continue beyond 2027 while pressures on the legal aid budget would increase as the system recovered. The Prison Service advised that many of the mitigating actions, which have been successful in preventing the spread of Covid within prisons with only four positive cases within 21 months, would have to stop, increasing the risk to both prisoners and staff. The Prison Service and the PSNI also both require access to sufficient Personal Protection Equipment (PPE).

51. The impact of inflationary pressures, which are unfunded and inescapable, was raised by a number of justice organisations. This includes pay and price inflation and the increase in employer National Insurance contributions which takes effect in April 2022. Rising energy costs will also be of concern given the number and size of premises being operated across the justice sector – the Prison Service pointed out, for example, that unlike some other parts of the public sector it operates round the clock and advised that it has recently submitted a bid for £500k for quarterly utility costs.

52. The Committee has considered five Bills in this Assembly mandate, three of which introduce new offences. Details of the financial implications of the Bills were not included in the information provided in the Explanatory and Financial Memoranda. Evidence received from stakeholders pointed to the potential

increase in resource requirements for organisations within the justice sector, the need to rebalance resources across the sector and also the need for public awareness campaigns. In its evidence on one of these Bills the PSNI advised that it is important that sufficient resources are in place from the outset to ensure that new legislation can be effectively used and that victims will feel confident to report crime and their experiences are not compromised due to over-stretched resources.

Conclusion

53. This response sets out just some of the potential impacts of the 2022-25 Draft Budget for the Department of Justice.

54. While the Committee appreciates the intention to prioritise the Health Service in this multi-year Draft Budget, the blanket approach by which every other department is required to find 2% efficiencies appears too simplistic and takes no account of the work undertaken by other departments such as Justice which make significant contributions to wider strategic outcomes.

55. The Committee notes with concern the Minister's assertion that this approach may make it difficult for the Department to fulfil its essential duties. While the ability to fulfil statutory functions must be of paramount importance, other services and initiatives are undertaken which are of significant benefit not only to the justice system but to other departments and wider society.

56. Many parts of the Department of Justice play important roles in the delivery of services which provide health and social care outcomes. These are mostly non-statutory functions that were put in place to meet the needs of individuals which otherwise were not being met or to deliver services more efficiently and effectively and are done with or on behalf of the Department of Health. The Committee appreciates the clear benefits of these approaches and very much believes that they serve to save costs to both Departments in the longer term. The Committee would however question why the funding responsibility rests all or in part with the Department of Justice, particularly when some services

are clearly linked to the statutory remit of the Department of Health. The Committee would point out that any reduction in these services may only serve to divert people to the Health Service, thereby increasing costs and putting more pressure on the health system and would therefore urge a more collaborative and joined-up approach to funding for these services.

57. The Committee considers early intervention and work to prevent reoffending to be particularly important and is concerned about the impact of any possible reduction in these approaches. The Committee firmly believes that investment in early intervention saves costs to other parts of the system by, for example, preventing reoffending and thus court appearances or prison sentences. It is essential, therefore, that this work is properly funded as any reduction in service to deliver short-term savings will lead to additional costs in the longer term. The Committee is also concerned that the budget will stymie the Department's ability to innovate as the lack of funding may mean that the focus will be on dealing with the consequences of crime rather than prevention and tackling root causes. In this respect, the Committee notes the Minister's view that by having to focus on finding short term solutions to the immediacy of funding challenges and deficits, the costs will then become greater in the longer term and the capacity at that stage to change the position within any reasonable timeframe will be greatly diminished.

58. The Committee is also concerned at the implications that a reduction in legal aid funding will have on the legal profession and on access to justice and believes it is important that a network of providers is maintained across Northern Ireland to ensure equality of access for those who require it. The Committee believes that delaying payments in the way suggested will only serve to increase liabilities for future years and is not an effective way to manage a reduction in funding.

59. The Committee has previously noted its concern at the lack of information that is available on the financial implications of the Justice Bills introduced in the Assembly and the availability of funding to ensure that necessary and adequate resources are available so that the legislation is properly

implemented. The Committee welcomes the introduction of legislation to tackle new and emerging offences but it is imperative that there is adequate funding identified and committed to implementation to give confidence to victims to report those crimes in the knowledge that the system will deal with their cases effectively and efficiently.

60. The Committee has questioned the 'salami-slicing approach' taken within the Department to reduce the budget of each spending area equally rather than taking a more nuanced approach. The Committee is conscious of the need to take account when deciding on budget allocations of the fact that all parts have to be able to work together in synchronisation to deliver the justice system. The Committee acknowledges the Department's position that it is unable to prioritise policing as, given that it accounts for such a significant proportion of the budget, other spending areas would be disproportionately affected.

61. This is a challenging budget position for the Department of Justice and the Committee shares the concerns expressed in written and oral evidence about the impact that this will have right across the justice system, on access to justice and on public confidence in the system. The Committee believes that important progress has been made over recent years which could be slowed or even reversed by a budget of this nature. The overall proportion of the budget that currently goes on staffing resources and to fund policing provides little flexibility and difficult decisions will have to be taken. The Committee will continue to monitor developments as the Department identifies its spending priorities.