



**Northern Ireland
Assembly**

COMMITTEE FOR JUSTICE

MINUTES OF PROCEEDINGS

THURSDAY 12 MARCH 2020

Room 30, Parliament Buildings, Belfast

Present: Ms Linda Dillon MLA (Deputy Chairperson)
Mr Doug Beattie MLA
Mr Gordon Dunne MLA
Mr Paul Frew MLA
Ms Emma Rogan MLA
Mr Pat Sheehan MLA
Ms Rachel Woods MLA

Apologies: Mr Paul Givan MLA (Chairperson)
Mr Patsy McGlone MLA

In Attendance: Mrs Christine Darrah (Assembly Clerk)
Mrs Kathy O'Hanlon (Senior Assistant Assembly Clerk)
Mr Peter Madine (Assistant Assembly Clerk)
Mrs Allison Mealey (Clerical Officer)

The meeting commenced at 2.03 p.m. in open session.

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

The Deputy Chairperson welcomed Ms Rogan to the Justice Committee and advised Members that a copy of her entry in the Register of Members' Interests had been provided for information.

1. Apologies

As above.

2. Draft Minutes

Agreed: The Committee agreed the minutes of the meeting held on Thursday 5 March 2020.

Ms R Woods joined the meeting at 2.08 p.m.

Mr P Sheehan joined the meeting at 2.09 p.m.

3. Matters Arising

Forward Work Programme

The Committee considered the Forward Work programme for March 2020 and requests from the Department of Justice to schedule an oral evidence session on the provisions of the Domestic Abuse Bill for the meeting on 19 March and reschedule the oral evidence session on the proposal for a Legislative Consent Motion for the Criminal Finances Act 2017 to the meeting on 26 March 2020.

Agreed: The Committee agreed the changes to the March 2020 Forward Work Programme.

The Committee considered a request from officials to provide an oral briefing at the meeting on 19 March on the Department of Justice Coronavirus Planning and discussions and preparations being taken across the Justice system and noted the Minister's preference for the briefing to take place in closed session.

Agreed: The Committee agreed that the oral briefing should take place on 19 March or, if an earlier briefing is necessary given the continually changing situation, on Monday 16 March.

Agreed: The Committee would like the Minister of Justice to attend the oral briefing if available.

Agreed: The Committee agreed that as much of the briefing as possible should be held in public session but if necessary, it would move into closed session and agreed to request details of what areas/issues the officials had identified that they could not cover or discuss in public session.

4. Draft Programme for Government 2020-21 – Outcome 7 Chapter

The following officials joined the meeting at 2.14 p.m.

Glyn Capper, Head of Justice Performance, Department of Justice

Jane Homes, Justice Performance Team, Department of Justice

The officials provided an overview of the Outcome 7 Chapter of the Draft Programme for Government and the process to up-date it.

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

The oral evidence session was reported by Hansard.

The officials agreed to provide further information on several issues.

The Deputy Chairperson thanked the officials for their attendance.

Agreed: The Committee agreed to consider the draft Outcome 7 Chapter further when the text of the draft Programme for Government is available.

5. Proposed Legislative Consent Motion - Private International Law (Implementation of Agreements) Bill

The following official joined the meeting at 2.49 p.m.

Jo Wilson, Civil Justice Policy Division, Department of Finance

The official outlined the proposals for a Legislative Consent Motion for the Private International Law (Implementation of Agreements) Bill.

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

The oral evidence session was reported by Hansard.

The official agreed to provide further information on the timescale for the proposed Legislative Consent Motion (LCM).

The Deputy Chairperson thanked the official for her attendance.

Agreed: The Committee agreed that further information on the position of the other legislatures should be obtained to assist its consideration of the proposed LCM.

6. Simplifying the Legal Aid Approval Process for Engagement of Expert Witnesses in Family Proceedings in the Magistrates' Courts – Draft Consultation on a Pilot Scheme

The Committee considered proposals by the Department of Justice to undertake a two-month consultation on a proposed pilot scheme to enable solicitors to instruct psychiatrists and psychologists in public law proceedings in the Family Proceedings Court within fixed hourly rates and an hours cap without the need for prior authority from the Legal Services Agency.

Agreed: The Committee agreed to request further information from the Department of Justice on a range of issues including why a consultation on a pilot scheme was needed, how the estimated savings was calculated and how the hours cap was set to assist its consideration of the proposals.

7. Proposals for New Organised Crime Offences in Northern Ireland – Draft Consultation

The Committee considered proposals by the Department of Justice to undertake an eight-week public consultation on policy proposals for new organised crime offences in Northern Ireland.

Agreed: The Committee agreed that it was content for the consultation to take place and it would consider the proposals for the new offences further when the results of the consultation are available.

Agreed: The Committee agreed to request clarification from the Department of Justice on how the proposed new offences would link with existing paramilitary related offences and sentencing frameworks.

8. Correspondence

- i. The Committee considered correspondence from Action for Children requesting a meeting to discuss the challenges for children, young people and families generally and justice related issues in particular.

Agreed: The Committee agreed that an informal meeting with the Chairperson and Deputy Chairperson, to which all Committee Members would be invited to attend, should be arranged.

- ii. The Committee considered a request from La Dolce Vita Project to meet the Committee to discuss a pilot project that is being worked on to support alienated parents and children.

Agreed: The Committee agreed that an informal meeting with the Chairperson and Deputy Chairperson, to which all Committee Members would be invited to attend, should be arranged.

- iii. The Committee considered an invitation from the Northern Ireland Judicial Appointments Commission (NIJAC) to a round-the-table event on Wednesday 6 May 2020 on the scope, impact and strategic direction of the Commission's work.

Agreed: The Committee agreed that Members should advise the Clerk if they wished to attend the event.

- iv. The Committee considered a response from the Department of Justice providing an update on the actions to address the recommendations in the Northern Ireland Audit Office (NIAO) reports on Speeding Up Justice: Avoidable Delay in the Criminal Justice System and Mental Health in the Criminal Justice System.

Agreed: The Committee agreed to send a copy of the table setting out the position in relation to each of the recommendations in the NIAO report on 'Mental Health in the Criminal Justice System', to the Public Accounts Committee to inform its inquiry work.

- v. The Committee considered a response from the Department of Justice providing information on the position regarding the publication of appeal statistics and a copy of the initial evaluation completed on the pilot substance misuse court following the overview briefing on the Northern Ireland Courts and Tribunals Service.

Agreed: The Committee agree to request a copy of the draft 5-year Problem Solving Justice Strategic Plan when available.

- vi. The Committee considered the Northern Ireland Audit Office report published on 10 March 2020 on Injury on Duty Schemes for Officers in the Police Service of Northern Ireland and Prison Service of Northern Ireland.

Agreed: The Committee agreed to write to the Minister of Justice and the Northern Ireland Policing Board requesting information on what action each intends to take in relation to the findings and recommendations of the report and what amendments to legislation are being considered.

Agreed: The Committee agreed to forward a copy of the letters to the Public Accounts Committee for information.

- vii. The Committee considered correspondence from the Department of Justice advising of changes the Minister of Justice intended to make, initially on an administrative basis from 16 March 2020, to the AccessNI disclosure process to prevent further challenges following a Supreme Court Ruling.

Agreed: The Committee agreed that the correspondence should be included in the papers for the meeting on 19 March to provide adequate time to consider the matter.

- viii. The Committee considered a letter from the Minister of Justice advising that she had appointed six independent members to the Northern Ireland Policing Board.

Agreed: The Committee agreed to write to the Minister of Justice to request the rationale for the decision of the Secretary of State for Northern Ireland to ask the Department of Justice to run a new competition rather than make further appointments from the existing pool of appointable candidates.

The Committee noted the following:

- ix. Two memos from the Committee for Finance regarding a matter being investigated by Trading Standards in relation to a company selling plasma screen advertising space which had now ceased trading and the implications for businesses who had signed up to its scheme.
- x. A response from the Department of Justice providing further information in relation to funding for delivery of the Action Plan to tackle Paramilitary Activity, Criminality and Organised Crime and the current position in relation to addressing the recommendations in the 2016 Northern Ireland Audit Office report, 'Managing Legal Aid' following the overview briefing on the Department of Justice Budget.
- xi. A response from the Department of Justice providing a breakdown of the £3.5 million funding recovered from court fees charged for delivery of civil and family business following the fee increases in 2017 and 2019.

9. Chairperson's Business

None.

10. Any Other Business

The Deputy Chairperson advised Members that Mr Sheehan was moving to the Committee for Health and thanked him for his contribution to the work of the Justice Committee.

11. Date, time and place of next meeting

The next meeting will be held on Thursday 19 March at 2.00 p.m. in Room 30, Parliament Buildings.

The meeting was adjourned at 3.25 p.m.

Paul Givan MLA
Chairperson, Committee for Justice