



**Northern Ireland
Assembly**

COMMITTEE FOR JUSTICE

MINUTES OF PROCEEDINGS

THURSDAY 28 JANUARY 2021

Room 30, 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 Emma Rogan MLA*
Ms Rachel Woods MLA*

* These Members attended the meeting via video conferencing.

Apologies: None.

In Attendance: Mrs Christine Darrah (Assembly Clerk)
Mrs Kathy O'Hanlon (Senior Assistant Clerk)
Mrs Allison Mealey (Clerical Supervisor)

The meeting commenced at 2.05 p.m. in public session.

The Chairperson declared an interest in relation to Agenda Item 4, with the issue being relevant to an extended family member.

Ms Woods declared an interest in relation to Agenda Item 8, with the issue being relevant to her previous employment in the licensing industry.

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

1. Apologies

There were no apologies.

2. Draft Minutes

Agreed: The Committee agreed the minutes of the meeting held on 19 January 2021.

Agreed: The Committee agreed the minutes of the meeting held on 21 January 2021.

3. Matters Arising

Item 1 – Letter from the Committee for Finance on the Draft Budget 2021-22

The Committee noted correspondence from the Committee for Finance advising of its intention to co-ordinate responses from Statutory Committees on the draft Budget 2021-22 and providing potential lines of scrutiny to assist Committees.

The Committee also noted that Department of Justice officials would attend the meeting on Thursday 4 February 2021 to provide an oral briefing on the Department of Justice draft Budget settlement.

Item 2 – Letter from the Committee for Finance on Funding for the Victims' Pension Scheme

The Committee considered correspondence from the Committee for Finance providing a copy of a letter it had sent to the Executive Office seeking clarity on the level of funding required for set up costs and/or actual payments to victims in relation to the Troubles Permanent Disablement Payment Scheme and what has been sought for 2021-22.

Agreed: The Committee agreed to ask the Committee for Finance for a copy of the response from the Executive Office when available.

Agreed: The Committee agreed to ask the Department of Justice what consideration it is giving to identifying funding for known future pressures including with the Executive Office in relation to the Troubles Permanent Disablement Payment Scheme.

Item 3 – Letter from the Department of Justice providing further information on the 2020-21 January Monitoring Round position and Budget 2021-22

The Committee noted a response from the Department of Justice providing further information following the oral evidence session in December 2020 on the January Monitoring Round position and Budget 2021-22 and its response to a request from the Department of Finance for further bids for Covid-19 funding.

4. Reviews of Support Services for Operational Prison Staff and for Retired Prison Officers

The following officials joined the meeting at 2.13 p.m.:

Ronnie Armour, Director General, Northern Ireland Prison Service

Brendan Giffen, Head of Strategy and Governance, Northern Ireland Prison Service

The officials provided an overview of the key findings and action plans to implement the recommendations contained in the Review of Support Services for Operational Prison Staff and the Review of Support Services for Retired Prison Officers.

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

The oral evidence session was reported by Hansard.

The Chairperson thanked the officials for their attendance.

Agreed: The Committee agreed to request a written update on progress on the implementation of the action plans from the Department of Justice before the end of June 2021.

5. Damages (Return on Investment) Bill – Accelerated Passage

The Minister of Justice, Naomi Long MLA, Peter May, Permanent Secretary, and Laurene McAlpine, Deputy Director, Civil Justice Policy Division, Department of Justice joined the meeting at 3.00 p.m.

The Minister outlined her reasons for seeking accelerated passage for the Damages (Return on Investment) Bill and the officials provided an overview of the content of the Bill.

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

Mr Beattie MLA left the meeting at 3.26 pm.

The Minister and officials agreed to provide further information on several issues.

The oral evidence session was reported by Hansard.

The Chairperson thanked the Minister and officials for their attendance.

The Committee discussed the information available in relation to the legislative framework provided for in the Bill to set the Personal Injury Discount Rate in Northern Ireland and the reasons for seeking accelerated passage for the legislation.

Agreed: The Committee agreed to write to the Minister of Finance for his view of the wider implications of adopting the framework set out in the proposed legislation.

Agreed: The Committee agreed to provide a summary of the views expressed by Members in relation to the case being made for accelerated passage of the legislation and the proposed framework to set the Personal Injury Discount Rate to the Minister of Justice and to copy the letter to all Executive Ministers.

6. Covert Human Intelligence Sources (Criminal Conduct) Bill

The Committee noted correspondence from the Minister of Justice advising that she is content with a proposed amendment to the Covert Human Intelligence Sources (Criminal Conduct) Bill which would provide for the continued availability of the Northern Ireland

Criminal Injuries Compensation Scheme in respect of activities authorised on foot of a proposed amendment to the Regulation of Investigatory Powers Act 2000 and that a Legislative Consent Motion is not required.

7. Domestic Abuse Bill – Extra-territorial Jurisdiction – Legislative Consent Motion

The Committee noted correspondence from the Minister of Justice advising that she is content that corresponding amendments to those being tabled for England and Wales in relation to extra-territorial jurisdiction should be included for Northern Ireland to ensure that UK Nationals who commit marital rape abroad, in a country where it is not an offence, can be prosecuted in Northern Ireland. The amendments come within the scope of the Legislative Consent Motion passed by the Northern Ireland Assembly on 23 June 2020.

8. Licensing and Registration of Clubs (Amendment) Bill

The Committee considered responses from the Department of Justice and the PSNI in respect of clauses in the Licensing and Registration of Clubs (Amendment) Bill relevant to their responsibilities including the new offences, penalties and enforcement requirements and any resource implications.

Members' expressed a variety of views on the issues and points highlighted in the PSNI response.

Agreed: The Committee agreed to forward the responses from the Department of Justice and the PSNI to the Committee for Communities for its consideration.

9. SL1: The Explosives (Appointment of Authorities and Enforcement) (Amendment) (EU Exit) Regulations (Northern Ireland) Rules 2021

The Committee considered a proposal by the Department of Justice to make a Statutory Rule to make minor amendments to the Explosives (Appointment of Authorities and Enforcement) Regulations (Northern Ireland) Rules 2015 to implement the Northern Ireland/Ireland Protocol in the Withdrawal Agreement and ensure the 2015 Regulations continue to operate effectively in Northern Ireland after the end of the implementation period.

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

10. Increasing the General Civil Jurisdiction of the County Courts in Northern Ireland – Proposed Consultation

The Committee considered information provided by the Department of Justice in relation to a proposed public consultation on increasing the general civil jurisdiction of the county courts in Northern Ireland.

Agreed: The Committee agreed that it was content for the consultation to take place and it would consider the matter further when the results of the consultation and the proposed way forward are available.

11. Modern Slavery – Transparency in Supply Chains – Proposed Consultation

The Committee considered information provided by the Department of Justice in relation to a proposed consultation with public sector organisations and a proposed engagement exercise with commercial sector companies in Northern Ireland on proposed amendments to the Modern Slavery Act 2015 and the Transparency in Supply Chains arrangements.

Agreed: The Committee agreed to seek clarification on the differences between “an engagement exercise” and “a consultation”, and why a full public consultation is not being undertaken for both the commercial and public sectors.

12. Development and Implementation of a Statutory Registration Scheme for Legal Aid Practitioners in Northern Ireland

The Committee considered additional information provided by the Department of Justice on the development and implementation of a Statutory Registration Scheme for Legal Aid Practitioners and noted that officials would attend a meeting in February or March 2021 to outline the post-consultation report prior to publication and provide further details of the proposals being developed

Agreed: The Committee agreed to forward the information provided by the Department to the Public Accounts Committee for information and any comment it may wish to make.

13. Committee Forward Work Programme – February 2021

The Committee considered information provided by the Department of Justice regarding work items that it wished to schedule during February 2021.

Agreed: The Committee agreed to schedule the work items requested by the Department for February 2021.

The Committee noted further guidance from the Chairpersons’ Liaison Group for Committees in light of the current ongoing restrictions setting out potential actions for Committees to minimise face-to-face interaction and reduce risk at Committee meetings.

14. Correspondence

- i. The Committee considered a response from the Department of Justice regarding action being taken to address one of the strategic recommendations in the Criminal Justice Inspectorate Northern Ireland (CJINI) Report on Probation Practice in Northern Ireland.

Agreed: The Committee agreed to request a written update from the Department of Justice in six months’ time on progress to deliver the action.

- ii. The Committee considered a response from the Probation Board for Northern Ireland setting out the actions being taken to address the findings and recommendations of the CJINI Report on Probation Practice in Northern Ireland.

- Agreed:* The Committee agreed to request a written update from the Probation Board in six months' time on progress to deliver the action plan and to give consideration at that time to whether an oral briefing should be scheduled.
- iii. The Committee considered correspondence from the Department of Justice regarding the independent evaluation of Support Hubs and future funding.
- Agreed:* The Committee agreed to send a copy of the response to the NI Policing Board for information.
- iv. The Committee considered correspondence from a Lecturer in Politics at the , University of Ulster regarding the findings of the Police Ombudsman and NI Policing Board Reports into the policing of the Black Lives Matter protests.
- Agreed:* The Committee agreed to respond advising the individual that the reports were discussed with the Minister of Justice when she attended the Committee meeting on 19 January and she had indicated that the majority of the recommendations relate to operational policing matters, oversight of which is the responsibility of the NI Policing Board.
- v. The Committee considered correspondence from two individuals regarding a Boundary Dispute.
- Agreed:* The Committee agreed to action the correspondence as requested by the individuals.
- vi. The Committee considered correspondence from an individual welcoming the Domestic Abuse and Civil Proceedings Bill.
- Agreed:* The Committee agreed to forward the Committee Report on the Domestic Abuse and Civil Proceedings Bill to the individual for information.

The Committee noted the following:

- vii. A response from the Department of Justice providing further information following the multi-agency briefing on Organised Crime in Northern Ireland on 10 December 2020.
- viii. A response from the Department of Justice providing further information on how the Troubles Permanent Disablement Payment Scheme will be victim-focused.
- ix. A response from the Department of Justice providing further information following the oral evidence session on the NI Organised Crime Strategy on 19 November 2020.
- x. A copy of correspondence from the Department of Justice to the Committee for Finance regarding Contractors taking Legal Challenges.
- xi. A response from the Department of Justice providing further information on the reasons for the variations in the length of time it provides for responses to consultations.

15. Chairperson's Business

None.

16. Any Other Business

None.

17. Date, Time and Place of the next meeting

The next meeting will be held on Thursday 4 February 2021 at 2.00 p.m. in the Senate Chamber, Parliament Buildings.

The meeting was adjourned at 4.57 p.m.

Mr Paul Givan MLA
Chairperson, Committee for Justice