



Northern Ireland
Assembly

Committee for Justice

Minutes of Proceedings

18 November 2021

Meeting Location: The Senate Chamber, Parliament Buildings, Belfast

Present: Mr Mervyn Storey MLA (Chairperson)

Ms Rachel Woods MLA

Present by Video or Teleconference:

Ms Sinéad Bradley MLA

Ms Jemma Dolan MLA

Mr Peter Weir MLA

Apologies: Ms Sinéad Ennis MLA (Deputy Chairperson)

Mr Robin Newton MLA

Ms Emma Rogan MLA

In Attendance: Mrs Christine Darrah (Assembly Clerk)

Mrs Kathy O'Hanlon (Senior Assistant Clerk)

In Attendance by Video or Teleconference:

Mr Stephen Corr (Clerical Supervisor)



Northern Ireland Assembly

The meeting commenced at 2:09 p.m. in closed session.

1. Protection from Stalking Bill – Consideration of Draft Amendments – Advice from the Assembly Bill Clerk

Ms Stephanie Mallon, Assembly Bill Clerk, attended the meeting to outline the draft amendments prepared as instructed by the Committee at the meeting on 11 November 2021 in relation to Clause 17 of the Protection from Stalking Bill, to provide for data collection and mandatory training and to place a requirement on the Department to report on the operation of the offence.

Agreed: The Committee agreed to write to the Department regarding a further addition to the text of the amendment to place a requirement on the Department to report on the operation of the offence and to ask the Minister of Justice whether she is willing to bring forward the proposed amendment to Clause 17.

The Chairperson thanked Ms Mallon for her advice.

The meeting moved into public session at 2.45 p.m.

Agreed: The Committee agreed that the Oral Evidence Sessions on the Justice (Sexual Offences and Trafficking Victims) Bill should be reported by Hansard.

2. Apologies

As above.

The Chairperson informed the Committee that, under Standing Order 115(6), the Deputy Chairperson, Sinéad Ennis MLA, and Emma Rogan MLA had delegated authority to Jemma Dolan MLA to vote on their behalf.



Northern Ireland Assembly

3. Draft Minutes

Agreed: The Committee agreed the minutes of the meeting held on 11 November 2021.

4. Matters Arising

Item 1 – Protection from Stalking Bill – Draft Amendments

The Chairperson advised Members that the Bill Clerk would provide the final text of the amendments to provide for data collection, mandatory training, to place a requirement on the Department to report on the operation of the offence including specifically online and offline offences and on Stalking Protection Notices and Interim Stalking Protection Notices and to build on the obligation already provided for in Clause 17 to issue guidance about the exercise of the Chief Constable's functions so that it also covers the operation of the offence for consideration at the meeting on 25 November 2021.

Item 2 – Barnardo's Report – 'Not a World Away'

The Committee noted a copy of the Barnardo's report 'Not a World Away' on the sexual exploitation of children and young people in Northern Ireland that was referenced during an oral evidence session with Barnardo's and the NSPCC on the Justice (Sexual Offences and Trafficking Victims) Bill on 11 November 2021.



Northern Ireland Assembly

Item 3 – Forensic Science Capital Pressure – Response from the Department of Justice

The Committee noted a response from the Department of Justice providing details of the capital pressure for Forensic Science NI that was identified at the October monitoring round.

Item 4 – Legislative Consent Motion for the Police, Crime, Sentencing and Courts Bill

The Committee noted a response from the Department of Justice providing further information on the consultation on the Code of Practice for the provision in the Police, Crime, Sentencing and Courts Bill relating to the extraction of data from mobile devices and the rationale for the Executive's decision not to include the provision in the Legislative Consent Motion for the Bill.

The Chairperson advised the Committee that the Legislative Consent Motion was scheduled for debate in the Assembly on 23 November 2021.

The Chairperson also advised the Committee that the Minister of Justice had indicated her intention to make an oral statement to the Assembly on Charlotte's Law on 22 November 2021.

Agreed: The Committee agreed that the briefing papers on Charlotte's Law received from the Department for consideration at the meeting on 25 November should be circulated to all Committee Members as soon as possible.

Item 5 – Committee Forward Work Programme

The Committee considered an updated Forward Work Programme reflecting the work items agreed at the meeting on 11 November 2021.

The volume of items scheduled for the meeting on 25 November 2021 which included four oral evidence sessions on the Justice (Sexual Offences and Trafficking



Northern Ireland Assembly

Victims) Bill, further consideration of the text of the draft amendments to the Protection from Stalking Bill, potentially the formal Clause by Clause Consideration of the Bill and a number of written briefing papers was discussed.

Agreed: The Committee agreed to hold an additional meeting on 30 November 2021 at 9.30 a.m. to undertake the formal Clause by Clause Consideration of the Protection from Stalking Bill and consider the written briefing papers.

Item 6 – NIJAC Event on 2 December 2021

The Committee noted correspondence from the Northern Ireland Judicial Appointments Commission providing the programme for the briefing and discussion event to be held on 2 December 2021 and relevant briefing papers.

Agreed: The Committee agreed that Members should advise the Clerk as soon as possible of their availability to attend the event.

Item 7 – Oral Evidence Sessions on the Justice (Sexual Offences and Trafficking Victims) Bill

The Committee considered correspondence requesting that Women's Aid should be provided an opportunity to give oral evidence on the Justice (Sexual Offences and Trafficking Victims) Bill separately rather than as part of the joint evidence session with those organisations that had contributed to the Women's Policy Group written submission.

Agreed: The Committee agreed to schedule an oral evidence session with Women's Aid specifically focused on issues of relevance to the Justice (Sexual Offences and Trafficking Victims) Bill.



Northern Ireland
Assembly

5. Justice (Sexual Offences and Trafficking Victims) Bill – Oral Evidence from South Eastern Area Domestic & Sexual Violence and Abuse Partnership

The following representative from the South Eastern Area Domestic & Sexual Violence and Abuse Partnership joined the meeting at 3.02 p.m.

Sheila Simons MBE, Chair, South Eastern Area Domestic & Sexual Violence and Abuse Partnership

Ms Simons outlined a number of key issues in relation to the provisions of the Justice (Sexual Offences and Trafficking Victims) Bill and other issues.

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

The oral evidence session was reported by Hansard.

Ms Simons agreed to provide further information on one issue discussed during the evidence session.

The Chairperson thanked Ms Simons for her attendance.

Agreed: The Committee agreed to forward a copy of the written submission on the Bill provided by Professor McGlynn, Durham University, to Ms Simons.

6. Justice (Sexual Offences and Trafficking Victims) Bill – Oral Evidence from Professor Clare McGlynn, Durham Law School, Durham University

Professor Clare McGlynn, Durham Law School, Durham University, joined the meeting at 3.22 p.m.

Professor McGlynn outlined a number of key issues in relation to the provisions of the Justice (Sexual Offences and Trafficking Victims) Bill and other issues.

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

The oral evidence session was reported by Hansard.

Professor McGlynn agreed to provide further information on several issues discussed during the session.



Northern Ireland
Assembly

The Chairperson thanked Professor McGlynn for her attendance.

Agreed: The Committee agreed to commission a research paper on practice in other jurisdictions regarding criminalising deep fakes/fake porn and cyber flashing in the context of telecommunications not being a devolved matter and the On-line Safety Bill currently progressing through Westminster.

7. Justice (Sexual Offences and Trafficking Victims) Bill – Oral Evidence from Representatives of the range of organisations who contributed to the joint submission provided by the Women’s Policy Group NI

The following representatives of organisations who contributed to the joint submission provided by the Women’s Policy Group NI joined the meeting at 3.54 p.m.

Rachel Powell, Women’s Resource and Development Agency and Women’s Policy Group

Elaine Crory, Women’s Resource and Development Agency and Raise Your Voice

Danielle Roberts, HERe NI

Kendall Bousquet, Migrant Centre NI

Karen Sweeney, Rape Crisis and Women’s Support Network

Maxine Murphy Higgins, NASUWT and ICTU

The representatives outlined a number of key points in relation to the provisions of the Justice (Sexual Offences and Trafficking Victims) Bill and other issues.

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.



Northern Ireland
Assembly

8. SL1 – The County Court Fees (Amendment) Order (Northern Ireland) 2021

9. SL1 – The Magistrates’ Courts Fees (Amendment) Order (Northern Ireland) 2021

The Committee considered further information provided by the Department of Justice and the Department of Communities on the assessment of and consultation on licensing fees for new licensing applications arising from the Licensing and Registration of Clubs (Amendment) Act 2021 provided for in two proposals for Statutory Rules, which are not subject to any Assembly procedure.

Agreed: The Committee agreed to ask the Department of Justice to clarify if stakeholders and those working in the industry were consulted specifically on the proposed fees.

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

The Committee considering information provided by the Department of Justice on the results of the public consultation on proposals to increase the general civil jurisdiction of the County Courts in Northern Ireland and the proposed way forward.

Agreed: The Committee agreed that it was content to note the outcome of the consultation and the proposed way forward outlined by the Department.

11. Correspondence

- i. The Committee considered a response from the Minister of Justice advising that any decision to develop and implement a register of those convicted of animal welfare offences is a policy matter for the Department of Agriculture, Environment and Rural Affairs (DAERA) and outlining her and Department of



Northern Ireland
Assembly

Justice officials' engagement with the Minister of Agriculture, Environment and Rural Affairs and DAERA officials on this issue.

Agreed: The Committee agreed to ask the Department of Agriculture, Environment and Rural Affairs for an update on progress on the development of an animal cruelty register.

- ii. The Committee considered a response from the First Minister and deputy First Minister regarding the accessibility of tribunal panels and the potentially negative perception arising from the use of courthouses for tribunal hearings.

Agreed: The Committee agreed to ask the Department of Justice how it intends to ensure the accessibility of tribunal panels and counteract any potential negative perceptions arising from the use of courthouses for tribunal hearings.

- iii. The Committee considered a response from the Department of Justice on the outcome of the first meeting of the Specialised Committee on Law Enforcement and Judicial Cooperation.

Agreed: The Committee agreed to ask the Department of Justice to provide an update on EU Exit and justice-related issues in March 2022.

- iv. The Committee considered an invitation from the Northern Ireland Human Rights Commission to the launch of the 2021 Annual Human Rights Statement which will be held on 9 December 2021.

Agreed: The Committee agreed that Members should contact the Northern Ireland Human Rights Commission directly if they wish to attend the event.

- v. The Committee considered correspondence from the Department of Justice advising of an issue relating to time limits for appeals to the Charity Tribunal that the Committee for Communities was considering in the context of the Charities Bill and which falls within the remit of the Department of Justice.



Northern Ireland
Assembly

Agreed: The Committee agreed that the Chairperson would discuss the matter with the Chairperson of the Committee for Communities.

The Committee noted the following:

- vi. A copy of the formal response by the Biometrics and Surveillance Camera Commissioner to the Department for Culture, Media and Sport's consultation on 'Data: a new direction'.
- vii. A press release and copy of the Public Prosecution Service Statistical Bulletin: Cases Involving Sexual Offences 2020/21.

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 25 November 2021 at 2.00 p.m. in Room 30, Parliament Buildings.

The meeting was adjourned at 5.20 p.m.



Northern Ireland
Assembly

Mervyn Storey MLA

Chairperson, Committee for Justice

25 November 2021