



Northern Ireland
Assembly

Committee for Justice

Minutes of Proceedings

16 December 2021

Meeting Location: The Senate Chamber, Parliament Buildings, Belfast

Present: Mr Mervyn Storey MLA (Chairperson)

Mr Robin Newton MLA

Mr Peter Weir MLA

Present by Video or Teleconference:

Mr Doug Beattie MLA

Ms Sinéad Bradley MLA

Ms Jemma Dolan MLA

Ms Rachel Woods MLA

Apologies: Ms Sinéad Ennis MLA (Deputy Chairperson)

Ms Emma Rogan MLA

In Attendance: Mrs Christine Darrah (Assembly Clerk)

Mrs Kathy O'Hanlon (Senior Assistant Clerk)

Mr Stephen Corr (Clerical Supervisor)



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In Attendance by Video or Teleconference:

Mrs Clairita Frazer (Assistant Assembly Clerk)

The meeting commenced at 2:03 p.m. in public session.

Agreed: The Committee agreed that the oral evidence sessions on the Justice (Sexual Offences and Trafficking Victims) Bill and January Monitoring position should be reported by Hansard.

1. 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.

2. Draft Minutes

Agreed: The Committee agreed the minutes of the meeting held on 9 December 2021.



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3. Matters Arising

Item 1 - Department of Justice Response on the Review of the Probation Board Status and Governance

The Committee noted a response from the Department of Justice indicating that, in light of the feedback from the Committee, it now intended to undertake a full public consultation on proposed changes to the governance arrangements for Probation Board Northern Ireland.

Robin Newton MLA joined the meeting at 2:05 p.m.

Item 2 – Justice (Sexual Offences and Trafficking Victims) Bill – Further Information from Women’s Aid following the oral evidence session

The Committee noted further information provide by Women’s Aid Federation in relation to Part 2 of the Justice (Sexual Offences and Trafficking Victims) Bill following the oral evidence session on 2 December 2021.

Item 3 – Correspondence from CARE NI regarding the Report Stage of the Nationality and Borders Bill

The Committee noted correspondence from CARE NI regarding the Report Stage of the Nationality and Borders Bill which took place in Westminster on 8 December 2021 and the position regarding longer term support for confirmed victims of modern slavery.



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4. Justice (Sexual Offences and Trafficking Victims) Bill - Part 1 – Sexual Offences, Part 3 – Prevention Orders and Part 4 – Final Provisions - Consideration of Key Issues raised in the written and oral evidence - oral evidence session with departmental officials

The following officials joined the meeting at 2:08 p.m.

Brian Grzymek, Deputy Director, Criminal Justice Policy and Legislation Division, Department of Justice

Andrew Laverty, Head of Criminal Law Branch, Criminal Justice Policy and Legislation Division, Department of Justice

Lorraine Ferguson, Head of Criminal Policy Unit, Department of Justice

The officials provided evidence on the issues raised in the written and oral evidence received by the Committee on Part 1 – Sexual Offences, Part 3 – Prevention Orders and Part 4 – Final Provisions of the Justice (Sexual Offences and Trafficking Victims) Bill and on the amendments proposed by the Department and answered Members' questions.

Doug Beattie MLA joined the meeting at 2:33 p.m.

Robin Newton MLA left the meeting at 2:55 p.m.

The oral evidence session was reported by Hansard.

The officials agreed to provide the Committee with additional information on a number of issues discussed during the session.

The Chairperson thanked the officials for their attendance.

Agreed: The Committee agreed to refer a summary of the key issues raised in the evidence received on the Bill and the Department's proposed amendments to the Department for written comments to supplement the oral evidence provided by officials.



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5. January Monitoring Round - Oral Evidence Session

The following officials joined the meeting at 3:48 p.m.

Deborah Brown, Director, Justice Delivery Directorate, Department of Justice

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

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

Ms Brown provided an overview of the Department of Justice 2020-21 January Monitoring Round position and the next steps for the 2022-25 Budget process.

Peter Weir MLA declared an interest as he is registered as a non-practising member of the Bar of Northern Ireland.

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

The oral evidence session was reported by Hansard.

The officials agreed to provide additional information on a number of issues discussed during the session.

The Chairperson thanked the officials for their attendance.

Agreed: The Committee agreed to request a copy of the Department of Justice Monitoring Round forms within 7 days of their submission to the Department of Finance and a written update on the outcome of the Monitoring Round and details of the remaining budgetary pressures facing the Department at the conclusion of the Monitoring Round.

Agreed: The Committee agreed to forward any questions not covered in the oral evidence session to the Department of Justice for a written response.



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6. SR 2021/311 The Magistrates' Courts and County Court Appeals (Criminal Legal Aid) Costs (Amendment) Rules (Northern Ireland) 2021

The Committee considered SR 2021/311 The Magistrates' Courts and County Court Appeals (Criminal Legal Aid) Costs (Amendment) Rules (Northern Ireland) 2021 which will amend the Magistrates' Courts and County Court Appeals (Criminal Legal Aid) Rules (Northern Ireland) 2009 which prescribe the remuneration payable to solicitors and counsel for criminal legal aid in Magistrates' Court cases and County Court appeals to give effect to the proposals arising from the second statutory review of the Rules.

The Committee noted that the Examiner of Statutory Rules had raised no issues with regard to the technical aspects of the Rule.

Agreed: The Committee considered SR 2021/311 The Magistrates' Courts and County Court Appeals (Criminal Legal Aid) Costs (Amendment) Rules (Northern Ireland) 2021 and had no objection to the Rule.

7. SL1: The County Court Fees (Amendment) Order (Northern Ireland) 2021

8. SL1: The Magistrates' Courts Fees (Amendment) Order (Northern Ireland) 2021

The Committee considered additional information provided by the Department of Justice on the consultation undertaken by the NI Courts and Tribunals Service on the licensing fees for new licensing applications arising from the Licensing and Registration of Clubs (Amendment) Act 2021 and noted proposals for two Statutory Rules, which are not subject to any Assembly procedure, to give effect to the new licensing fees.



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9. Update to SL1 for The Proceeds of Crime Act 2002 (Application of the Police and Criminal Evidence (Northern Ireland) Order 1989 (Amendment No. 2) Order (Northern Ireland) 2021

The Committee considered a proposal by the Department of Justice to include two further technical and minor corrections in the proposed Statutory Rule, which is subject to the negative resolution procedure, to make four minor corrective amendments and add a new Schedule to the Proceeds of Crime Act 2002 (Application of the Police and Criminal Evidence (Northern Ireland) Order 1989) Order (Northern Ireland) 2016).

Agreed: The Committee agreed that it was content with the proposal to include two further amendments in the proposed Statutory Rule.

10. The Civil Legal Services (Financial) (Amendment) Regulations 2022

The Committee considered information provided by the Department of Justice regarding its intention to undertake a four week consultation on a proposal for a Statutory Rule, which will be subject to the negative resolution procedure, to amend the Civil Legal Services (Financial) Regulations (Northern Ireland) 2015 to make it possible for the redress payments for victims and survivors of historical child abuse in care in Scotland who are now living in Northern Ireland to have their payments disregarded for the purposes of civil legal aid means testing.

Jemma Dolan welcomed the proposed Statutory Rule and wanted to see it implemented as soon as possible.

Agreed: The Committee agreed to consider the proposal for the Statutory Rule when the results of the consultation were available.

Agreed: The Committee agreed to seek further information from the Department of Justice regarding the projections used to assess the financial impact on the legal aid budget and whether reciprocal arrangements would be put in place in Scotland for victims from Northern Ireland who receive similar redress payments.



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11. Domestic Abuse Offence Operational Date – Update

The Committee noted an update provided by the Department of Justice on the Domestic Abuse Offence operational date that indicated that work is on track to meet the revised timescale of late February 2022.

12. Domestic Abuse Protection Notices and Orders – Update

The Committee considered an update provided by the Department of Justice on the work being undertaken to introduce Domestic Abuse Protection Notices and Orders.

The Committee noted that the multi-agency Task and Finish Group due to consider the locations for the two pilot schemes was due to meet for the first time in early 2022 and expressed concern regarding the length of time being taken to get the pilot schemes up and running.

13. Impact of Youth Justice Agency Services

The Committee considered the Youth Justice Agency Performance Impact Report for 2020/21 provided by the Department of Justice and noted the offer from the Agency to facilitate meetings with staff working in Members' constituencies.

Agreed: The Committee agreed to request further information on a range of issues from the Department.

14. Draft Strategic Framework for Youth Justice – Update

The Committee considered a first draft of the Strategic Framework for Youth Justice and associated action plan provided by the Department of Justice which it intended to share with criminal justice partners and key stakeholders across the children's sector for views and discussed a number of the issues covered.



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Agreed: The Committee agreed to request further information on a number of areas from the Department of Justice.

15. Progress to Deliver the Recommendations of the Reviews of Support Services for Operational Prison Staff and Retired Staff – Update

The Committee considered a further update provided by the Department of Justice on progress to deliver the recommendations arising from the Reviews of Support Services for operational prison staff and retired staff.

Agreed: The Committee agreed to request information on the outcome of the meeting due to take place between the authors of the report, management, staff and trade unions to review progress and benchmark against the assessment provided by the NI Prison Service.

16. Call for Views on a New Domestic and Sexual Abuse Strategy and a New Equally Safe Strategy – A Strategy to Tackle Violence Against Women and Girls

The Committee noted information provided by the Department of Justice on the combined engagement to be undertaken on a new Domestic and Sexual Abuse Strategy and a Strategy to Tackle Violence Against Women and Girls and the Call for Views document, the Public Survey and the Victim Survey that will be used.

17. Committee Forward Work Programme - January 2022

The Committee considered a list of items of business that the Department of Justice wished it to consider during January 2022 and a proposal to defer the written update on progress in relation to the Secure Juvenile Care and Justice Campus to February 2022.



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Agreed: The Committee agreed to schedule the work items requested by the Department on the dates indicated in January 2022.

Agreed: The Committee agreed that the written update on progress in relation to the Secure Juvenile Care and Justice Campus should be deferred from 20 January to 17 February 2022.

The Committee discussed the timetable for completion of the Committee Stage of the Justice (Sexual Offences and Trafficking Victims) Bill.

Agreed: The Committee agreed to hold a Committee meeting on Thursday 6 January 2022 at which the informal deliberations on the Justice (Sexual Offences and Trafficking Victims) Bill and potential amendments would take place.

18. Correspondence

- i. The Committee considered a response from the Department of Justice to the findings of the Criminal Justice Inspection Northern Ireland (CJINI) Report on 'How the Justice System Treats Females in Conflict with the Law'.

Agreed: The Committee agreed to request further information on the timescale for producing the new justice-wide strategy to support women and girls in contact with the justice system which will deliver the recommendations of the CJINI Report and the reason why the timescales in the Youth Justice Action Plan differ from those recommended by CJINI.

- ii. The Committee considered correspondence from a Senior Research Fellow based in Leeds Beckett University Law School requesting a meeting to discuss a proposal for a bespoke version of a Prevent Strategy to reduce hate crime and sectarianism in Northern Ireland.

Agreed: The Committee agreed to request further written information on the proposal before considering the meeting request.



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- iii. The Committee considered correspondence from the Department of Justice providing an update on the current position regarding work and engagement with the Department of Education on the provision of Relationship and Sexuality Education that had been requested following consideration of information on the Department of Justice 2021-22 Business Plan.

Agreed: The Committee agreed to request an update from the Minister of Education on the matter.

The Committee noted the following:

- iv. A response from the Department of Justice on the measures being taken to ensure the accessibility of tribunal panels and counteract any potential negative perceptions arising from the use of courthouses.
- v. Correspondence from the Committee for the Executive Office on its plans to take oral evidence in January 2022 on progress on the Strategy to Tackle Violence Against Women and Girls.
- vi. The Northern Ireland Human Rights Commission 2021 Annual Statement on Human Rights in Northern Ireland and associated press release.
- vii. Correspondence from the Minister of Justice advising of the launch of a Northern Ireland Prison Service recruitment campaign for Custody Prison Officers.
- viii. Correspondence from the Department of Justice advising of legislative amendments to tighten restrictions on GHB, GBL and Related Compounds which would be considered further at the Committee meeting on 13 January 2022.
- ix. The Northern Ireland Chamber of Commerce and Industry Report: "Brexit – One Year On".



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19. Chairperson's Business

Item 1 – PSNI Stakeholder Event in January 2022

The Committee noted the decision by the PSNI to postpone the planned online stakeholder event on 12 January 2022 on its Violence and Intimidation Against Women and Girls Strategy to later in the month.

Item 2 – Response from the Chief Executive of NIACRO

The Committee noted a response from the Chief Executive of the Northern Ireland Association for the Care and Resettlement of Offenders regarding the Committee's letter on her imminent retirement.

20. Any Other Business

The Chairperson advised the Committee that a number of e-Christmas cards had been received from various criminal justice organisations.

21. Date, Time and Place of the next meeting

The next meeting will be held on Thursday 6 January 2022 at 2.00 p.m. in Room 30, Parliament Buildings.

The meeting was adjourned at 5:03 p.m.



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Mervyn Storey MLA

Chairperson, Committee for Justice

13 January 2022