



Northern Ireland
Assembly

Committee for Justice

Minutes of Proceedings

THURSDAY 11 APRIL 2024

Room 30, Parliament Buildings, Belfast

Present:

Joanne Bunting MLA (Chairperson)

Deirdre Hargey MLA (Deputy Chairperson)

Doug Beattie MLA

Maurice Bradley MLA

Stewart Dickson MLA

Ciara Ferguson MLA

Present by Video or Teleconference:

Alex Easton MLA

Sinéad Ennis MLA

Justin McNulty MLA

In Attendance: Caroline Perry (Assembly Clerk)
Kathy O'Hanlon (Senior Assistant Assembly Clerk)
Aaron Pakenham (Clerical Supervisor)
Ryan Feeney (Clerical Officer)

The Committee agreed to start the meeting in closed session to take procedural advice from the Assembly Bill Office.

The meeting commenced at 1.38pm in closed session.

1. Apologies

There were no apologies.

2. Procedural Advice: Assembly Bill Office

Clerk Assistant Frank Geddis and Bill Clerk Barbara Love provided advice on the potential implications of the Department's intention to bring a number of amendments at the Consideration Stage of the forthcoming Justice Bill. The Department had identified the following areas in this regard: remote court access; new offences of directing and participating in serious organised crime; court approval in minor settlements; repeal of vagrancy legislation; and rehabilitation periods.

Doug Beattie joined the meeting at 2.08pm.

The briefing was followed by a question-and-answer session.

The Committee noted two letters from the Department that were received in response to issues that had been raised by the Committee on this matter.

Agreed: The Committee agreed to write to the Department to raise its grave concerns about the Department's intention to bring a number of amendments at the Consideration Stage of the forthcoming Justice Bill, to note the Committee's view that the Bill should contain all of the clauses

that the Department plans to include at Introduction, and to emphasise that the Committee wishes to work collaboratively with the Minister and the Department to support the effective development and scrutiny of the legislation.

The meeting moved into public session at 2.19pm.

Agreed: The Committee agreed that the oral evidence session with Dame Brenda King, the Attorney General for Northern Ireland, and the oral evidence sessions with Department of Justice officials on the overview of the Safer Communities Directorate and on the proposed Legislative Consent Motions for the Criminal Justice Bill would be recorded by Hansard.

Joanne Bunting declared an interest in relation to an immediate family member who works in the legal profession.

3. Draft Minutes

Agreed: The Committee agreed the minutes of the meeting held on Thursday 21 March 2024.

4. Matters Arising

There were no matters arising.

5. Attorney General for Northern Ireland

Dame Brenda King, the Attorney General for Northern Ireland, Ian Wimpress, Solicitor to the Attorney General, Maura McCallion, Division Head, and Orla Ward, Division Head, joined the meeting at 2.21pm.

The Attorney General provided an overview of her work and issues in the justice system.

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

The oral evidence session was reported by Hansard.

The Chairperson thanked the witnesses for their attendance and they left the meeting.

6. Safer Communities Directorate: Overview Briefing

Mark Goodfellow, Director of Safer Communities; Lynne Curran, Head of Policing Strategy and Engagement; Katie Taylor, Head of Protection and Organised Crime Division; Michael McAvoy, Head of Community Safety Division; and Graham Walker, Head of the International Criminal Justice Cooperation Unit joined the meeting at 3.26pm.

The officials provided an overview of the Safer Communities Directorate of the Department of Justice.

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

The oral evidence session was reported by Hansard.

Joanne Bunting declared an interest in relation to having been a member of the Northern Ireland Policing Board when it was decided that a review of the Board should take place.

Maurice Bradley declared an interest in relation to having been a member of the Northern Ireland Policing Board when it was decided that a review of the Board should take place.

Sinéad Ennis left the meeting at 4.13pm.

The Chairperson thanked the witnesses for their attendance and they left the meeting.

Agreed: The Committee agreed to schedule a closed evidence session to receive a briefing regarding work around multi-agency risk arrangements.

7. Criminal Justice Bill — Proposed Legislative Consent Motions

Dr Veronica Holland, Head of the Organised Crime Branch, and Jane McNeill from the Organised Crime Branch joined the meeting at 4.21pm.

The officials provided information on proposed Legislative Consent Motions in relation to the Criminal Justice Bill.

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

The oral evidence session was reported by Hansard.

The Chairperson thanked the witnesses for their attendance and they left the meeting.

Agreed: The Committee agreed, in principle, for legislative consent to be sought for the provisions that extend to Northern Ireland that were in the Criminal Justice Bill at the end the House of Commons Consideration Stage. The devolved areas to be included in this Legislative Consent Motion are:

- clauses 1 to 4 — Offences relating to things used in serious crime, theft or fraud;
- clauses 11 and 12 — Offence of encouraging or assisting serious self-harm;
- clause 13 — Administering etc harmful substances (including by spiking);
- clause 16 — Criminal liability of bodies corporate and partnerships where senior manager commits offence;
- clause 27 — Access to driver licence records; and
- clauses 42 to 45 — Serious crime prevention orders.

Agreed: The Committee agreed to reserve its position on the proposed second Legislative Consent Motion in relation to the Criminal Justice Bill and to consider the matter further when more information on the provisions that it will include is available.

8. SR 2024/38 The Police Pensions (Amendment) Regulations (Northern Ireland) 2024

The Committee considered SR 2024/38 The Police Pensions (Amendment) Regulations (Northern Ireland) 2024, which came into operation on 1 April 2024 and will:

- remove the risk of legal challenge for disability discrimination relating to Ill-Health exclusion benefits following a concession made by the Home Secretary regarding such a legal challenge in the equivalent England and Wales Police Pension scheme;
- introduce a revised employer contribution rate as a consequence of the 2020 Police Pension Valuation;
- amend the regulations relating the forfeiture of a beneficiary's pension within the Royal Ulster Constabulary Pensions Regulations 1988 and the Police Pension (Northern Ireland) Regulations 2009 in order to align with those provisions within the scheme established by the Police Pensions Regulations (Northern Ireland) 2015; and
- apply technical amendments to correct minor drafting errors in the 2015 scheme.

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 for Justice considered SR 2024/38 The Police Pensions (Amendment) Regulations (Northern Ireland) 2024 and had no objection to the rule.

9. SL1 The Period Products (Department of Justice Specified Public Service Bodies) Regulations (Northern Ireland) 2024

The Committee considered a proposal for a Statutory Rule to specify the public service bodies within its remit that will be subject to the duties under the Period Products (Free Provision) Act (Northern Ireland) 2022. The specified bodies will be required to establish and maintain arrangements to ensure that period products are obtainable in their premises, free of charge, for a person who needs to use them.

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

Agreed: The Committee agreed to ask the Department for clarification on whether period products will be made available throughout the Northern Ireland Courts and Tribunals Service estate and other publicly accessed buildings within the Department's remit.

10. Vehicle Recovery, Storage and Disposal Statutory Charges Review

The Committee noted a paper from the Department of Justice on the vehicle recovery, storage and disposal statutory charges review.

Agreed: The Committee agreed to ask the Department whether a comparison was made between the cost of charges in Northern Ireland and the Republic of Ireland and whether the charges detailed cover the full cost of vehicle recovery.

Agreed: The Committee agreed to consider the matter further when the results of the consultation and proposed next steps are available.

11. Civil Legal Aid Review

The Committee considered a paper from the Department of Justice regarding its intention to launch three calls for evidence relating to proposals to review civil legal aid.

Agreed: The Committee agreed to note the paper and to consider the matter further when the results of the calls for evidence and proposed next steps are available.

Agreed: The Committee agreed to ask the Department why this consultation will last for eight weeks as opposed to 12 weeks, as with other consultations and in accordance with the recommended standard, and to ascertain how the Department determines the time period for consultations.

12. Remote Evidence Centre

The Committee was referred to a written paper on the Remote Evidence Centre in advance of the Committee visit there next week. Members were advised that a pack providing details about the arrangements for the visit will be issued early next week.

13. Forward Work Programme

The Committee noted the updated forward work programme and a draft Department of Justice forward work programme.

Committee Members were reminded that the Committee's strategic planning session will take place in the Stormont Hotel at 1.30pm on 2 May 2024.

Agreed: The Committee agreed to postpone the oral evidence session with the Public Prosecution Service, which had been scheduled for 25 April 2024.

Agreed: The Committee agreed to an earlier starting time of 1.30pm for its meeting of 25 April 2024.

14. Correspondence

- i. The Committee considered a letter from Deirdre Toner, the outgoing Chairperson of the Northern Ireland Policing Board, proposing the reinstatement of informal meetings between the Committee Chairperson and the Chairperson of the Policing Board.

Agreed: The Committee agreed to write to the newly appointed Chairperson and Vice Chairperson of the Policing Board to offer its congratulations on their appointments.

Agreed: The Committee agreed that meetings between the Committee Chairperson, the Deputy Chairperson and the relevant Policing Board personnel should be reinstated, with updates provided to the Committee following each meeting.

- ii. The Committee considered correspondence from Glyn Roberts, Chief Executive of Retail NI, which included an invitation to Members from Peter

McReynolds MLA to attend the launch of Retail NI's Business Crime Report on Tuesday 23 April 2024.

- iii. The Committee considered correspondence from a barrister regarding Family Drug and Alcohol Courts (FDACs) in Northern Ireland, which included a letter from the Minister of Justice advising that an evaluation of a pilot of the FDAC model was being undertaken and next steps considered in conjunction with delivery partners in the Department of Health.

Agreed: The Committee agreed to request an update from the Department on the evaluation of the pilot and the next steps, when available.

- iv. The Committee considered correspondence from the Department of Justice regarding clarification on AccessNI checks that are undertaken on people who work in hotels or other settings in which families from Ukraine or elsewhere may be placed.

Agreed: The Committee agreed to request further information from the Department on this matter.

Alex Easton left the meeting at 5.14pm.

The Committee noted the following:

- v. a response from the Department of Justice regarding changes made in The Human Tissue Act 2004 (Supply of Information about Transplants) Regulations 2024 that fall under the Department's remit;
- vi. a response from the Department of Justice to the Criminal Justice Inspection report on Forensic Services in Northern Ireland;
- vii. a response from the Department of Justice regarding Injury on Duty — Proposals for a Consultation on the Way Forward;
- viii. correspondence from the Department of Justice and the Legal Services Agency Northern Ireland regarding the publication of the Official Statistics Bulletin 'Legal Aid in Northern Ireland: Annual Statistics to March 2023';
- ix. correspondence from the Department of Justice and the Northern Ireland Statistics and Research Agency regarding the publication of the Official

Statistics Bulletin 'Findings from the 2022/23 Northern Ireland Safe Community Telephone Survey';

- x. a response from the Lady Chief Justice following the oral evidence session of 21 March 2024 regarding the estimated cost of the re-establishment of the Northern Ireland Law Commission;
- xi. a copy of correspondence from the Law Commissions from four jurisdictions to the Minister of Justice regarding the re-establishment of the Northern Ireland Law Commission;
- xii. correspondence from Criminal Justice Inspection Northern Ireland regarding a consultation on the free provision of period products;
- xiii. a report from the Prison Service Pay Review Body on the 2023 pay award for prison grades within Northern Ireland;
- xiv. correspondence from the Northern Ireland Council for Voluntary Action outlining its work and its intention to share regular briefings with the Committee in advance of plenary debates;
- xv. correspondence from Re-Gen Waste outlining its work and inviting the Committee to visit its premises;
- xvi. correspondence from an individual recommending scrutiny and repeal of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015; and
- xvii. correspondence from ISNI regarding its Investing Activity Report for the Department of Justice (March 2024).

15. Chairperson's Business

There were no items of Chairperson's business.

16. Any other Business

Committee Member Stewart Dickson reminded the Committee of the establishment of an All-Party Group on Access to Justice and encouraged Committee Members to get involved. He advised that it will meet on Tuesday 23 April 2024 at 2.00pm.

17. Date, Time and Place of Next Meeting

The Chairperson reminded Members of the Committee visit to the Remote Evidence Centre on Thursday 18 April 2024.

The Chairperson advised Members that the next Committee meeting will take place on 25 April 2024 at 1.30pm in Room 30, Parliament Buildings.

The Meeting was adjourned 5.16pm.

Joanne Bunting MLA

Chairperson, Committee for Justice