



Northern Ireland
Assembly

Committee for Justice

Minutes of Proceedings

THURSDAY 12 SEPTEMBER 2024

Room 30, Parliament Buildings, Belfast

Present:

Joanne Bunting MLA (Chairperson)

Deirdre Hargey MLA (Deputy Chairperson)

Doug Beattie MLA

Maurice Bradley MLA

Ciara Ferguson MLA

Justin McNulty MLA

Present by Video or Teleconference:

Stewart Dickson MLA

Sinéad Ennis MLA

In Attendance:

Caroline Perry (Assembly Clerk)

Sarah-Anne McKinley (Assistant Assembly Clerk)

Jonny Redpath (Assistant Assembly Clerk)

Mark McConnell (Clerical Supervisor)

Aaron Pakenham (Clerical Officer)

The meeting commenced at 2.00pm in open session.

Agreed: The Committee agreed that the oral evidence sessions with the Assembly's Research and Information Service (RaISe) and the Youth Justice Agency would be recorded by Hansard.

Maurice Bradley declared an interest in relation to correspondence he has received about the injury-on-duty scheme and police pensions.

Doug Beattie declared an interest in relation to correspondence he has received and meetings he has held about the injury-on-duty scheme and police pensions.

Joanne Bunting declared an interest in relation to correspondence she has received about the injury-on-duty scheme and police pensions.

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

1. Apologies

There were no apologies.

2. Draft Minutes

Agreed: The Committee agreed the minutes of the meeting held on Thursday 27 June 2024.

3. Matters Arising

The Committee noted the Examiner of Statutory Rules' twenty-first report — published on 6 September 2024 — in which the Examiner raised no concerns regarding the technical aspects of SR 2024/138: The Police Pensions (Remediable

Service) (Amendment) Regulations (Northern Ireland) 2024, which the Committee had raised no objection to, subject to the Examiner's report, at its meeting on 27 June 2024.

Agreed: The Committee agreed to write a letter to Alex Easton MP to wish him well and to thank him for his service to the Committee.

4. Mental Health and the Criminal Justice System: RalSe

Judith Bailie, Justice Research officer with RalSe, and Annabel Reid, Senior Research officer with RalSe, joined the meeting at 2.05pm.

The witnesses presented their paper 'Mental Health and the Criminal Justice System: Overview'.

Justin McNulty joined the meeting at 2.07pm.

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

The oral evidence session was reported by Hansard.

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

Agreed: The Committee agreed to commission further research from RalSe on a number of follow-up areas.

Agreed: The Committee agreed to write to the Department of Justice to ask why psychological issues are not included in the Northern Ireland Civil Service staff handbook regarding sickness absences and to ask the Department to engage with the Department of Finance on this matter.

Agreed: The Committee agreed to send the paper from RalSe to the Department of Justice.

Agreed: The Committee agreed to write to the PSNI regarding the multi-agency triage team in the South Eastern Health and Social Care Trust to ask for information on lessons learned and on the potential impact of the continuation of this work.

Agreed: The Committee agreed to schedule an oral evidence session on trauma-informed practice.

5. Mental Health and Youth Justice, and Business Plan Update: Youth Justice Agency

Agreed: The Committee agreed to note the report from the Executive Programme on Paramilitarism and Organised Crime ‘The connection between paramilitarism and mental health in Northern Ireland’.

Agreed: The Committee agreed to note the report from Criminal Justice Inspection Northern Ireland ‘Youth Interventions: An Inspection of the Youth Justice Agency’s Community Interventions’.

Stephen Martin, Chief Executive of the Youth Justice Agency; Mary Aughey, Director of Woodlands Juvenile Justice Centre; and Colleen Heaney, Director of Youth Justice Services, joined the meeting at 2.57pm.

The officials provided a briefing on mental-health issues within youth justice and an update on progress against the Youth Justice Agency’s business plan for 2024-25.

Deirdre Hargey joined the meeting at 3.15pm.

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

The oral evidence session was reported by Hansard.

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

Agreed: The Committee agreed to write to the Department of Justice to ask for further information on trauma-informed practice case studies and the results, when they are available, of the diversionary disposal pilot that is due to start in autumn 2024 in the Southern area.

Agreed: The Committee agreed to write to the Department of Justice to request information on a paper that was prepared by the Youth Justice Agency on the retention and recruitment allowance.

6. SR 2024/147 — The Police Service of Northern Ireland and Police Service of Northern Ireland Reserve (Injury Benefit) (Amendment) (No. 2) Regulations 2024

The Committee considered SR 2024/147 The Police Service of Northern Ireland and Police Service of Northern Ireland Reserve (Injury Benefit) (Amendment) (No. 2) Regulations 2024, which will place the “Guidance to Medical Practitioners on Injury on Duty Awards” to carry out injury-on-duty assessments provided to Selected Medical Practitioners and Independent Medical Reviewers on a statutory footing; revoke the Police Service of Northern Ireland and Police Service of Northern Ireland Reserve (Injury Benefit) (Amendment) Regulations 2024; and correct errors that were identified by the Examiner of Statutory Rules in the Police Service of Northern Ireland and Police Service of Northern Ireland Reserve (Injury Benefit) (Amendment) Regulations 2021.

The Committee noted the Examiner of Statutory Rules’ twenty-second report — published on 11 September 2024 — in which the Examiner drew the attention of the Assembly in relation to a breach of the 21-day rule and in relation to a “minor” drafting error.

Sinéad Ennis left the meeting at 3.56pm.

The Committee noted correspondence from the Department of Justice in relation to a Northern Ireland Audit Office report and the Northern Ireland Policing Board.

The Committee was reminded that it noted correspondence from an individual regarding concerns about the review of police pensions at its meeting of 27 June 2024.

Justin McNulty left the meeting at 4.02pm.

Agreed: The Committee for Justice considered SR 2024/147 The Police Service of Northern Ireland and Police Service of Northern Ireland Reserve (Injury Benefit) (Amendment) (No. 2) Regulations 2024 and had no objection to the Rule.

Justin McNulty rejoined the meeting at 4.04pm.

Agreed: The Committee for Justice agreed to request that departmental officials attend a future Committee meeting to discuss a number of issues that have arisen around the injury-on-duty scheme and the consultation.

Agreed: The Committee for Justice agreed to write to the Northern Ireland Audit Office and to copy in the Public Accounts Committee to raise issues that were brought to its attention by an individual regarding the report 'Injury on duty schemes for officers in the Police Service of Northern Ireland and the Northern Ireland Prison Service'.

7. SL1 — The Coronavirus Act 2020 (Extension of Provisions Relating to Live Links for Courts and Tribunals (No. 2) Order (Northern Ireland) 2024

The Committee considered a proposal for a Statutory Rule to allow a court or tribunal to receive evidence wholly or in part through the use of live links so long as it is satisfied that it is in the interests of justice to do so; and permit a court or tribunal to make arrangements for all or any part of a hearing being conducted by live link to be broadcast or for a recording of the proceedings to be made.

The Committee noted a report from the Department of Justice on audio and video live links.

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

8. Forward Work Programme

The Committee considered an updated forward work programme and a proposed Department of Justice forward work programme.

Agreed: The Committee agreed the updated forward work programme.

9. Correspondence

- i. The Committee considered correspondence from Criminal Justice Inspection Northern Ireland regarding its 20th anniversary.

Agreed: The Committee agreed to send a quote marking the 20th anniversary of Criminal Justice Inspection Northern Ireland.

- ii. The Committee noted correspondence from Criminal Justice Inspection Northern Ireland regarding its report 'Probation Practice in Northern Ireland — a Follow-up Review of the Inspection Recommendations'.

Agreed: The Committee agreed to write to the Department of Justice to ask why the primary legislation programme does not include measures to give effect to recommended changes to the Probation Board's governance arrangements.

- iii. The Committee considered correspondence from the Northern Ireland Policing Board regarding the PSNI's 'Right Care, Right Person' programme.

The Committee was reminded that it agreed to hold a concurrent meeting with the Committee for Health on Thursday 7 November 2024 and agreed to write to the Policing Board to inform it of this.

- iv. The Committee considered correspondence from the Independent Reporting Commission regarding a request for an informal meeting with the Chairperson and Deputy Chairperson.

Agreed: The Committee agreed to the Chairperson and Deputy Chairperson attending an informal meeting with the Independent Reporting Commission.

- v. The Committee noted correspondence from Sammy Wilson MP regarding airsoft gun usage and the legislation in Northern Ireland being different from legislation in the rest of the United Kingdom.

Agreed: The Committee agreed to provide a copy of the correspondence to the Department of Justice, to ask for an update on the review of the legislative framework for firearms and to enquire about the potential options for those competing as part of clubs who are subject to different licensing requirements to those in England.

- vi. The Committee considered correspondence from an individual regarding a complaint about a taxi licence and the seizure of a vehicle.

Agreed: The Committee agreed to note the correspondence and to forward it to the Committee for Infrastructure.

Agreed: The Committee agreed that any future items of correspondence from this individual will not be included in meeting packs and will be forwarded to the Committee for Infrastructure.

vii. The Committee was referred to a list of annual reports and accounts from various Justice organisations and was advised that full copies of any of the reports are available from the Committee office on request.

viii. The Committee considered a response from the Department of Justice to the Committee's request for further information on the domestic and sexual violence and abuse strategy in which it acknowledged that officials had provided incorrect information during a briefing to the Committee on 30 May 2024.

Agreed: The Committee agreed to write to the Department of Justice to express its dissatisfaction about the incorrect information and to ask for a clear timeline in relation to the Department's reporting requirements.

Agreed: The Committee agreed that it would consider the issue of domestic abuse protection notices and domestic abuse protection orders further when it is conducting its post-legislative scrutiny work.

Agreed: The Committee agreed to write to the Department of Justice for a detailed breakdown of the costs associated with the Domestic Abuse and Safety Support Service (DASS).

ix. The Committee considered correspondence from the Permanent Secretary of the Department of Justice to the Chief Constable of the PSNI regarding correspondence that the Chief Constable sent to the Prime Minister; and

x. The Committee considered correspondence from the Chief Constable of the PSNI regarding protests and disorder on 3 August 2024.

The Committee noted the following:

- xi. an urgent written ministerial statement from the Minister of Justice regarding a High Court judgment of 3 July 2024;
- xii. correspondence from the Department of Justice notifying the Committee that the Department would authorise land requisition;
- xiii. a written ministerial statement regarding an update on hate crime legislation;
- xiv. correspondence from the Department of Justice outlining statistics on first-time entrants to the criminal justice system in Northern Ireland for 2022-23;
- xv. correspondence from the Department of Justice outlining statistics regarding legal aid in Northern Ireland up to March 2024;
- xvi. correspondence from the Department of Justice regarding judicial statistics for the Northern Ireland Courts and Tribunals Service;
- xvii. correspondence from the Department of Justice regarding the publication of the Director of legal aid casework annual report 2023-24; the Legal Services Agency's annual accounts for 2023-24; the Legal Services Agency's business plan for 2024-25; and the legal aid official statistics for 2023-24;
- xviii. correspondence from the Department of Justice outlining a summary position for the 2024-25 June monitoring round;
- xix. a response from the Department of Justice regarding the interim Public Sector Transformation Board and a budget equality impact assessment;
- xx. a response from the Department of Justice regarding its business plan for 2024-25, the timescale for issuing papers, the Prisoner Ombudsman and the Policing Board's development day;
- xxi. a response from the Department of Justice regarding an SL1 for the Court of Judicature (Amendment) Rules 2024 and the plans to publicise the proposed court rules;

- xxii. correspondence from the Department of Justice regarding the consultation on the review of the Police and Criminal Evidence (Northern Ireland) Order 1989 (PACE NI) codes of practice;
- xxiii. correspondence from the Department of Justice regarding the Northern Ireland Courts and Tribunals Service quarterly provisional figures and mortgage press release;
- xxiv. correspondence from the Department of Justice regarding the Department of Finance's commissioning of an urgent in-year information gathering exercise;
- xxv. correspondence from the Assembly's Engagement team regarding the Older People's Parliament survey;
- xxvi. correspondence from Criminal Justice Inspection Northern Ireland regarding its annual business plan;
- xxvii. correspondence from Criminal Justice Inspection Northern Ireland regarding a consultation on its unacceptable behaviour policy;
- xxviii. correspondence from the Lady Chief Justice about an increase in the small claims court jurisdiction;
- xxix. an invitation from the Northern Ireland Human Rights Commission and the Equality Commission for Northern Ireland to the launch of the annual report on the implementation of Article 2 of the Windsor Framework;
- xxx. correspondence from the Northern Ireland Judicial Appointments Commission regarding the appointment of the President of the Industrial Tribunals and Fair Employment Tribunal;
- xxxi. copy of correspondence from the Chief Constable of the PSNI to the Prime Minister regarding funding the PSNI;
- xxxii. correspondence from the Public Prosecution Service regarding PPS 2030 and a no file decision pilot;

- xxxiii. correspondence from the Committee for Finance regarding a Department of Finance written briefing on the monthly outturn for April and May 2024;
- xxxiv. copy of correspondence from Minister of Justice to the Committee for Infrastructure regarding road safety;
- xxxv. a response from JMK Solicitors regarding the issue of minor settlements and an offer to attend the Committee;
- xxxvi. an invitation from the Institute of Public Health to Committee members for an event on reducing alcohol harm in Northern Ireland;
- xxxvii. correspondence from the Northern Ireland Audit Office regarding its report 'Continuous improvement arrangements in policing';
- xxxviii. correspondence from the Northern Ireland Fiscal Council regarding the Northern Ireland Executive's 2024-25 Budget;
- xxxix. a report from Pivotal on the first seven months of the restored Northern Ireland Executive; and
- xl. correspondence from ISNI regarding its Investing Activity Report for the Department of Justice for June, July and August.

10. Chairperson's Business

The Chairperson provided an update to the Committee on informal meetings that she held during summer recess to discuss justice-related matters with Jacqui Durkin, the Chief Inspector of Criminal Justice Inspection Northern Ireland; the Chair, Vice Chair and Chief Executive of the Northern Ireland Policing Board; and representatives of Retail NI.

The Chairperson reminded members that, at its meeting on 27 June 2024, the Committee for Justice considered correspondence from the Committee for the Economy regarding correspondence from the Association of British Insurers about transparency relating to insurance premiums in Northern Ireland, and that the Committee agreed to schedule an informal meeting with the Association of British

Insurers, which will be open to Members of the Committee for the Economy to attend, to discuss the issue.

Agreed: The Committee agreed for the informal meeting to take place on Tuesday 15 October 2024.

The Chairperson advised members that she has received an invitation as Chairperson of the Committee from the Chief Constable of the PSNI to attend the PSNI's Highly Commended Awards ceremony, which will take place on Tuesday 24 September 2024.

Agreed: The Committee agreed that the Chairperson should attend on behalf of the Committee.

The Chairperson advised members that she has received an invitation as Chairperson of the Committee from the Law Society to attend the LawtechUK in Northern Ireland conference, which will take place on Tuesday 26 November 2024.

Agreed: The Committee agreed that the Chairperson should attend on behalf of the Committee.

11. Any Other Business

Justin McNulty informed the Committee about an article in the Belfast Telegraph regarding prisoners recalled after licence breaches.

Agreed: The Committee agreed that the article will be circulated to Committee members.

Agreed: The Committee agreed to write to the Department of Justice about the early release of prisoners in England and Wales and to ask whether any of the released prisoners reside in Northern Ireland.

12. Date, Time and Place of Next Meeting

Members were informed that the next Committee meeting is scheduled for Thursday 19 September 2024 at 2.00pm in Room 30.

The Meeting was adjourned at 4.36pm.

Joanne Bunting MLA

Chairperson, Committee for Justice