



Northern Ireland
Assembly

Committee for Justice

Minutes of Proceedings

THURSDAY 16 MAY 2024

Room 30, Parliament Buildings, Belfast

Present: Joanne Bunting MLA (Chairperson)

Stewart Dickson MLA

Ciara Ferguson MLA

Justin McNulty MLA

Present by Video or Teleconference:

Doug Beattie MLA

Maurice Bradley MLA

Alex Easton MLA

Apologies: Sinéad Ennis MLA (Deputy Chairperson)

In Attendance: Caroline Perry (Assembly Clerk)
Sarah-Anne McKinley (Assistant Assembly Clerk)
Jonny Redpath (Assistant Assembly Clerk)
Aaron Pakenham (Clerical Supervisor)
Ryan Feeney (Clerical Officer)

The Committee agreed to start the meeting in closed session to consider and agree its strategic priorities.

The meeting commenced at 1.33pm in closed session.

The Chairperson informed Members that Sinéad Ennis was appointed as the Deputy Chairperson of the Committee, with effect from 15 May 2024.

The Chairperson thanked Committee Member Stewart Dickson for standing in at short notice to provide the Committee's views on the Coronavirus Act 2020 (Extension of Provisions Relating to Live Links for Courts and Tribunals) Order (Northern Ireland) 2024 during the plenary session on Tuesday 14 May 2024.

1. Apologies

As above.

2. Committee for Justice: Strategic Priorities

The Committee discussed its strategic priorities that had been considered at its informal strategic planning meeting on 2 May 2024. A number of issues were discussed, including the primary legislative programme; the need for better collaboration between Justice and other sectors; mental-health issues within the justice system; and post-legislative scrutiny.

Agreed: The Committee agreed to commission research from the Assembly Research and Information Service to establish an initial evidence base in relation to mental-health issues within the Justice system. This will include statistical evidence and practices in other jurisdictions in a number of areas. The time frame for the completion of the research will be September 2024.

The Chairperson advised the Committee that the strategic priorities will be revisited regularly and that there is scope to revise and refine them as required.

Alex Easton joined the meeting at 1.54 pm.

The meeting moved into public session at 1.54pm.

Agreed: The Committee agreed that the oral evidence session with the Independent Monitoring Board for Prisons; the oral evidence session on the Victim and Witness Strategy 2021-2024 and Criminal Justice Inspection Northern Ireland's Victims and Witnesses follow-up review report; and the oral evidence session on the SL1 — Damages (Process for Setting Rate of Return) Regulations (Northern Ireland) 2024 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 9 May 2024.

4. Matters Arising

There were no matters arising.

5. Independent Monitoring Board for Prisons

John Denvir, Chair of the Independent Monitoring Board for Maghaberry Prison; Patsy McGonagle, a member of the Independent Monitoring Board for Maghaberry Prison; and Yvonne Adair, Vice Chair of Hydebank Wood and a member of the Independent Monitoring Board for Maghaberry Prison, joined the meeting at 1.57pm.

The witnesses provided an overview of their work and issues in the prison system, including body scanners; the recruitment crisis facing the Independent Monitoring Board; potential protocols between the Department of Health and the Northern Ireland Prison Service to support the delivery of healthcare in prisons; issues related to drug use in prison; and how data gathered by the Independent Monitoring Board is collated and analysed by the Department.

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 to write to the Department of Justice to ask for information on what actions are being taken to address the recruitment crisis facing the Independent Monitoring Board and on what actions are being taken to address the issue of the extension of the current tenures; information on current or potential protocols between the Department of Health and the Northern Ireland Prison Service to support the delivery of healthcare in prisons; and how the data gathered by the Independent Monitoring Board for Prisons is analysed and collated by the Department.

6. Victim and Witness Strategy 2021-2024 and the Criminal Justice Inspection Northern Ireland's Victims and Witnesses Follow-Up Review Report

Julie Wilson, the Deputy Director of the Victim Support and Judiciary Division; Claire Campbell, Assistant Head of the Victims and Witnesses Branch; and Debbie Corry from the Victims and Witnesses Branch, joined the meeting at 3.20pm.

The officials provided an update on the Victim and Witness Strategy 2021-2024 and an update on the implementation of the Criminal Justice Inspection Northern Ireland's Follow-up Report on the Care and Treatment of Victims and Witnesses by the criminal justice system in Northern Ireland.

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.

7. SL1 — The Damages (Process for Setting Rate of Return) Regulations (Northern Ireland) 2024

Andrew Dawson, Head of the Civil Justice and Judicial Policy unit; Jane Maguire, Head of the Family Justice Policy branch; and Martin Moore from the Civil Justice and Judicial Policy unit, joined the meeting at 3.58pm.

The officials provided information on the proposal for a Statutory Rule — The Damages (Process for Setting Rate of Return) Regulations (Northern Ireland) 2024.

Maurice Bradley left the meeting at 4.00pm.

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 to write to the Department of Justice to emphasise that it supports the principle of 100% compensation; for further clarification on the modification of the standard adjustment from 0.75% to 1.25%; and to ask for more information on impact assessments, as recommended by the predecessor Committee for Justice.

8. Gillen Review recommendations and an overview of the Gateway Review for the Gillen programme of work — update on implementation

The Committee noted a written paper from the Department of Justice that provided an update on progress towards the implementation of the Gillen review into the law and procedures in serious sexual offences in Northern Ireland.

Agreed: The Committee agreed to schedule an oral evidence session on the Gillen Review Implementation Programme for later in the year.

9. Domestic Abuse and Civil Proceedings Act (Northern Ireland) 2021 — consultation on draft report under section 29

The Committee noted the Department of Justice's paper outlining its intention to consult on proposals aimed at enabling access to justice for victims and survivors of domestic abuse in Article 8 Children Order (Northern Ireland) 1995 proceedings.

10. Legislative Consent Memorandum — the Post Office (Horizon System) Offences Bill

The Committee considered the Legislative Consent Memorandum on the Post Office (Horizon System) Offences Bill, which was laid in the Business Office on 13 May 2024.

The Committee was advised that, given the restricted time frame for scrutiny and reporting, it is unlikely that the Committee will be able to undertake further extensive or detailed scrutiny at this stage and that the deadline for the completion of the Committee's report is 3 June 2024.

Agreed: The Committee agreed that it was content with the Department of Justice's proposal to extend the provisions in the Post Office (Horizon System) Offences Bill to Northern Ireland by way of a Legislative Consent Motion.

11. SR 2024/106 — The Judicial Pensions (Remediable Service etc.) (Amendment) Regulations (Northern Ireland) 2024

The Committee considered SR 2024/106 The Judicial Pensions (Remediable Service etc.) (Amendment) Regulations (Northern Ireland) 2024, which will be made under the Public Service Pensions Act (Northern Ireland) 2014 and the Public Service Pensions and Judicial Offices Act 2022 (“the 2022 Act”).

The Committee was advised that The Judicial Pensions (Remediable Service etc.) Regulations (Northern Ireland) 2023 (“the 2023 Regulations”) made provision for the McCloud remedy to be applied to a number of groups of judges who were not covered under the 2022 Act and that this Statutory Rule will make technical amendments to the 2023 Regulations to ensure the deliverability of the original policy intent for immediate detriment members (including litigants) and gap judges and so that the McCloud remedy can be applied.

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 2024/106 The Judicial Pensions (Remediable Service etc.) (Amendment) Regulations (Northern Ireland) 2024 and had no objection to the Rule.

12. SL1 — The Proceeds of Crime Act 2002 (Search, Recovery of Cryptoassets and Investigations: Codes of Practice) Order (Northern Ireland) 2024

The Committee considered a proposal for a Statutory Rule to be made under the Proceeds of Crime Act 2002 (“the 2002 Act”) to bring into operation two revised codes of practice and one new code of practice, which is required following amendments made to 2002 Act by the Economic Crime and Corporate Transparency Act 2023 in relation to cryptoassets.

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

13. Forward Work Programme

The Committee noted the updated forward work programme.

14. Correspondence

- i. The Committee considered correspondence from the Committee for Finance regarding scrutiny of the draft Executive Budget for 2024-25.

Agreed: The Committee agreed to note the item and to forward to the Committee for Finance copies of the Hansard reports from the Committee for Justice's Budget scrutiny evidence session of 29 February 2024 and its evidence session with the Minister of Justice on 25 April 2024. The Committee agreed to write to the Committee for Finance highlighting that it had not yet received a detailed briefing on the draft Executive Budget for 2024-25 and outlining its concerns in relation to the Department of Justice's allocation within the draft Executive Budget.

The Committee noted the following:

- ii. a statement made by the Minister of Justice on 14 May 2024 on the Inter-Government Agreement on co-operation on criminal justice matters;
- iii. correspondence from the Department of Justice regarding an increase to the fees of tribunal office holders and Lay Magistrates;
- iv. a response from the Department of Justice regarding the forthcoming Justice Bill;
- v. a response from the PSNI regarding the status of Warrenpoint and Crossmaglen police stations;
- vi. correspondence from the Clerk to the Senedd regarding Legislative Consent Motions on the Victims and Prisoners Bill;
- vii. correspondence from Ofcom regarding the launch of a consultation on the Protection of Children, which sets out expectations on regulated user-to-user and search service providers on how to comply with the children's duties under the Online Safety Act 2023;

- viii. correspondence from the Minister of Justice advising that, subject the necessary approvals being provided, she hopes to be in a position to introduce the Justice Bill during week commencing 10 June 2024. A paper outlining the contents of the Bill, a draft of the Bill and a draft Explanatory and Financial Memorandum were also included; and
- ix. a response from the Department of Justice to a number of issues that were raised by the Committee regarding a proposed second Legislative Consent Memorandum for the Criminal Justice Bill.

15. Chairperson's Business

The Chairperson outlined the Committee's agreed strategic priorities, as discussed during the closed session of the meeting, including the primary legislative programme and a focus on mental-health issues across the criminal justice system, including cooperation and collaboration between organisations.

The Chairperson welcomed Maurice Bradley back after his recent absence.

16. Any other Business

There was no other business.

17. Date, Time and Place of Next Meeting

The Chairperson advised Members that the next Committee meeting will take place on 23 My 2024 at 2.00pm in Room 30, Parliament Buildings.

The Meeting was adjourned 5.05pm.

Joanne Bunting MLA

Chairperson, Committee for Justice