



Northern Ireland
Assembly

Committee for Justice

Minutes of Proceedings

THURSDAY 27 JUNE 2024

Room 30, Parliament Buildings, Belfast

Present:

Joanne Bunting MLA (Chairperson)

Deirdre Hargey MLA (Deputy Chairperson)

Stewart Dickson MLA

Ciara Ferguson MLA

Present by Video or Teleconference:

Doug Beattie MLA

Maurice Bradley MLA

Justin McNulty MLA

Apologies:

Alex Easton MLA

Sinéad Ennis MLA

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 meeting commenced at 2.03pm in open session.

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

Deirdre Hargey declared an interest in relation to a family member who works for the Northern Ireland Courts and Tribunals Service.

1. Apologies

As above.

2. Draft Minutes

Agreed: The Committee agreed the minutes of the meeting held on Thursday 13 June 2024.

3. Matters Arising

There were no matters arising.

4. SR 2024/138 — The Police Pensions (Remediable Service) (Amendment) Regulations (Northern Ireland) 2024

The Committee considered SR2024/138 The Police Pensions (Remediable Service) (Amendment) Regulations (Northern Ireland) 2024, which will amend the Police

Pensions (Remediable Service) Regulations (Northern Ireland) 2023 to further support the Scheme Manager and Pension Administrator to effectively deliver the McCloud Retrospective Remedy and to correct omissions and minor drafting errors.

The Committee noted that the Examiner of Statutory Rules had not yet reported on the Rule.

Agreed: The Committee for Justice considered SR 2024/138 The Police Pensions (Remediable Service) (Amendment) Regulations (Northern Ireland) 2024 and, subject to the Examiner of Statutory Rules' Report, had no objection to the Rule.

5. SL1 — Insolvency (Amendment No. 2) Rules (Northern Ireland) 2024

The Committee considered a proposal for a Statutory Rule to amend the Insolvency Rules (Northern Ireland) 1991 in relation to the financial limits for eligibility for the Northern Ireland debt relief scheme. It is proposed that the scheme in Northern Ireland will continue to be aligned with the scheme in England and Wales.

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

Agreed: The Committee agreed to write to the Department of Justice to request that future correspondence from the Department is clearer about the purpose of proposed Statutory Rules.

6. SL1 — The Compensation Orders (Disqualified Directors) Proceedings Rules (Northern Ireland) 2024

The Committee considered a proposal for a Statutory Rule to make provision for a procedure to be followed in proceedings in the High Court relating to compensation claims against a disqualified company director.

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

7. SL1 — The Court of Judicature (Amendment) Rules 2024 (working title)

The Committee considered a proposal for a Statutory Rule to amend the Court of Judicature Rules to provide for a 28-day time limit, in civil cases, for a party to seek leave (permission) from the Court of Appeal to appeal a decision of that court to the UK Supreme Court.

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

Agreed: The Committee agreed to write to the Department of Justice to advise that its view is that the change that would be implemented by the Statutory Rule will need to be publicised as widely as possible among the legal profession and to ask what plans the Department has for doing so.

8. Department of Justice Business Plan 2023-24 — year-end progress update

The Committee noted a written paper from the Department of Justice that provided a year-end progress update against its business plan for 2023-24.

Agreed: The Committee agreed to write to the Department on a number of issues, including:

- to express its disappointment with the Department for the late tabling of the above written paper;
- its intention to schedule an oral evidence session with departmental officials in the autumn to discuss the progress of the actions that are outlined in the business plan;
- to ask whether the proposal to place the Prisoner Ombudsman on a statutory footing is having, or is likely to have, any effect on the recruitment to the role; and
- to ask when the Policing Board will next engage on the strategic plans for its objectives.

9. Forward Work Programme

The Committee noted the updated forward work programme.

Committee Members were advised that the forward work programme would be revisited after summer recess, after the Chairperson and Deputy Chairperson meet with the Committee Clerk to review it.

Stewart Dickson left the meeting at 2.23pm.

Agreed: The Committee agreed that its first meeting after summer recess would be on 12 September 2024.

Agreed: The Committee agreed to consider scheduling a visit to the Northern Ireland Courts and Tribunals Service at a future date.

10. Correspondence

- i. The Committee noted an invitation from the Northern Ireland Judicial Appointments Commission to an event relating to judicial appointments in February 2025.

Stewart Dickson rejoined the meeting at 2.30pm.

Agreed: The Committee agreed to schedule a joint Committee event with the Committee for The Executive Office in February 2025.

- ii. The Committee noted correspondence from the Independent Monitoring Board for Prisons.

Agreed: The Committee agreed to consider scheduling a meeting with the Independent Monitoring Board for Prisons.

The Committee expressed its condolences to the families of two prisoners who died while in custody and who were the subject of reports by the Prisoner Ombudsman for Northern Ireland. The Committee noted that its thoughts were also with the prison officers who were involved in each case.

- iii. The Committee noted correspondence from the Committee for Finance requesting a formal response on whether briefings had been requested or

received from the Department of Justice on post-budget allocations, departmental business plans and June Monitoring bids.

The Committee was advised that, following its agreement via correspondence, the relevant documentation was forwarded to the Committee for Finance on 21 June 2024.

- iv. The Committee 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.

The Committee was advised that the Association of British Insurers has requested to jointly brief the Committee for Justice and the Committee for the Economy on the issue.

Agreed: 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.

- v. The Committee noted correspondence from the Committee for the Economy regarding correspondence from the Federation of Small Businesses about the Arbitration Bill and agreed to consider the matter further if the Bill is brought back in the next Parliament.
- vi. The Committee considered correspondence from Thirtyone:eight regarding concerns about sections 12 to 16 of the Justice (Sexual Offences and Trafficking Victims) Act (Northern Ireland) 2022 and requesting to brief the Committee on the matter.

Agreed: The Committee agreed to note this item and to write to Thirtyone:eight to advise that it will engage on the Act after any potential further judicial process has concluded.

- vii. The Committee considered correspondence from JMK Solicitors regarding compensation settlements for children, with particular reference to the issue of minor settlements.

Agreed: The Committee agreed to write to JMK Solicitors to encourage them to engage directly with the Department of Justice on the matter and to contact the Committee again if the matter remains unresolved.

viii. The Committee considered a response from the Department of Justice to the Committee's request for further information on a number of issues that arose during the briefing on 13 June 2024 by departmental officials on Budget 2024-25 and the June Monitoring Round.

Agreed: The Committee agreed to write to the Department to request further information on the next steps for any successful bids to the Interim Public Sector Transformation Board; further information on the next steps for any successful bids that were jointly submitted by the Department of Justice and the Department of Health; and for more detailed information on the Department's planned approach to equality screening regarding Budget allocations and whether a full Equality Impact Assessment will be conducted on the Department's Budget.

ix. The Committee considered a written briefing from the Department of Justice on its 2024-25 Main Estimates in advance of the debates scheduled for the plenary session on 1 July 2024.

The Committee noted the following:

- x. correspondence from the Department of Justice containing a copy of the Northern Ireland Courts and Tribunals Service business plan for 2024-25;
- xi. correspondence from the Department of Justice containing the finalised Organised Crime Task Force addendum work plan for 2024-25;
- xii. a report from the Prisoner Ombudsman of an investigation into the circumstances surrounding the death of an individual while in the custody of Maghaberry Prison — the report was embargoed until 8 July 2024;
- xiii. a response from the Department of Justice to the Committee's request for an update regarding decisions taken by the Department in relation to the Judicial Review of the Justice (Sexual Offences and Trafficking Victims) Act

2022, which stated that consideration of the matter is ongoing and no decisions have yet been taken.

- xiv. correspondence from the Department of Justice advising that it intends to authorise the requisition of the land at the Invest NI site at Forthriver Business Park on the Springfield Road in Belfast for one day — 29 June 2024;
- xv. correspondence from the Department of Justice regarding a response from the UK Government to an independent report on the operation of closed material procedures under the Justice and Security Act 2013;
- xvi. a response from the Department of Justice regarding the timing of the consultation on draft revised codes for the Police and Criminal Evidence codes of practice;
- xvii. a response from the Department of Justice with a copy of the annual report for 2021-22 for Multi-Agency Review Arrangements;
- xviii. a response from the Department of Justice regarding the review of the list of specified offences;
- xix. correspondence from the Department of Justice containing an overview of the annual report for 2023-24 for the Independent Reviewer of criminal record certificates;
- xx. correspondence from the Department of Justice regarding the publication of the official statistics bulletin on court prosecutions, convictions and out-of-court disposals for Northern Ireland in 2023;
- xxi. a response from the PSNI regarding the status of the cultural audit and the key issues that it identified;
- xxii. a report from the Prisoner Ombudsman of an investigation into the circumstances surrounding the death of an individual while in the custody of Maghaberry Prison — the report was embargoed until 16 July 2024;
- xxiii. a copy of correspondence from the Committee for Infrastructure to the Minister of Justice regarding road safety;

- xxiv. correspondence from the Committee for Finance regarding information on the Interim Public Sector Transformation Board;
- xxv. a copy of correspondence from the Committee for Finance to the Minister of Justice and the Minister of Finance regarding strategic lawsuits against public participation;
- xxvi. a forwarded response from the Strategic Investment Board regarding ISNI Investing Activity monthly reports; and
- xxvii. correspondence from an individual that was forwarded to the Committee Chairperson about concerns raised about the use of a Northern Ireland Audit Office report in relation to a review of police pensions.

The Committee was advised that Committee teams will continue to receive correspondence from stakeholders over the summer period and that it is standard practice to include such items for consideration at the Committee's first meeting of the new session, which will be in September 2024.

Agreed: The Committee agreed that it was content to agree any urgent matters via correspondence over the summer recess period.

11. Chairperson's Business

The Chairperson advised the Committee that it is standard practice to delegate authority to the Chairperson and Deputy Chairperson, during periods of recess, to submit views on the releasing or withholding of information in any non-routine or contentious FoI requests received by the Committee; and that any such views expressed would be brought to the attention of the Committee at the first meeting after summer recess.

Agreed: The Committee agreed to delegate authority to the Chairperson and Deputy Chairperson to submit views on the releasing or withholding information in any non-routine or contentious Freedom of Information requests received by the Committee during summer recess.

The Chairperson advised the Committee that she received an invitation, as Chairperson of the Committee, to join senior members of the PSNI for breakfast and

an operational briefing on Friday 12 July 2024 at Police Headquarters and that she would be accepting the invitation.

12. Any other Business

There was no other business.

13. Date, Time and Place of Next Meeting

The Chairperson reminded Members that the Committee previously agreed to not meet on Thursday 4 July 2024 due to the General Election.

Members were informed that the next Committee meeting is scheduled for Thursday 12 September 2024 at 2.00pm in Room 30, Parliament Buildings, unless an urgent issue arises that requires the Committee to reconvene, in which case Members will be contacted.

The Meeting was adjourned 3.14pm.

Joanne Bunting MLA

Chairperson, Committee for Justice