



Northern Ireland  
Assembly

## Committee for Justice

### Minutes of Proceedings

**THURSDAY 23 MAY 2024**

**Room 30, Parliament Buildings, Belfast**

**Present:** Joanne Bunting MLA (Chairperson)

Stewart Dickson MLA

**Present by Video or Teleconference:**

Sinéad Ennis MLA (Deputy Chairperson)

Doug Beattie MLA

Ciara Ferguson MLA

Justin McNulty MLA

**Apologies:** Maurice Bradley MLA

Alex Easton 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 Committee agreed to start the meeting in closed session for an oral evidence session with officials from the Safer Communities Directorate of the Department of Justice on Multi-Agency Review Arrangements (MARA).*

*The Committee agreed that the Departmental Assembly Liaison Officer and another departmental official who works on MARA could remain in the public gallery during the closed session.*

*The meeting commenced at 2.02pm in closed session.*

## **1. Apologies**

As above.

## **2. Multi-Agency Review Arrangements**

The Chairperson advised Committee Members that the papers for this evidence session were restricted.

The Chairperson reminded Committee Members that unauthorised disclosure of protectively marked or confidential information may be considered a breach of the Code of Conduct for Members.

Michael McAvoy, who is the Head of Community Safety Division in the Department of Justice, and Alison Redmond, who is the Head of the Public Protection Branch in the Department of Justice, joined the meeting at 2.04pm.

The officials provided an overview of their work, including outlining the background regarding the Department's bespoke arrangements — Multi-Agency Risk Arrangements — to assess and manage the risk that is posed by terrorist offenders; the latest annual report, which has yet to be published; how risk assessments are conducted; different classifications; and progress made to date.

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

The officials agreed to provide the Committee with the annual report for 2021 to 2022.

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

*The meeting moved into public session at 2.45pm.*

**Agreed:** The Committee agreed that the oral evidence session on the Enabling Access to Justice Programme 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 16 May 2024, subject to two amendments.

### **4. Matters Arising**

#### **4.1 SL1 The Damages (Process for Setting Rate of Return) Regulations (Northern Ireland) 2024**

The Chairperson advised Committee Members that the Department of Justice had responded to the Committee's letter regarding an SL1 for The Damages (Process for Setting Rate of Return) Regulations (Northern Ireland) 2024, in which the Committee had requested further clarification on the modification of the standard adjustment

from 0.75% to 1.25%, and asked whether the Department had conducted an impact assessment, as recommended by the predecessor Committee for Justice.

**Agreed:** The Committee agreed to schedule an evidence session with officials from the Government Actuary's Department for 30 May 2024 to help inform its decision.

#### **4.2 Ministry of Justice Proposed Amendment to the General Data Protection Regulation**

The Chairperson informed Committee Members that the Department of Justice had written to the Committee regarding an amendment to the General Data Protection Regulation (GDPR) that the Ministry of Justice intends to table on 29 May 2024.

The Chairperson advised that, as GDPR is a non-devolved issue, the amendment will not require a legislative consent motion and the correspondence was, therefore, for information only.

The Chairperson advised that the letter would be included in next week's pack.

### **5. Enabling Access to Justice Programme**

Steven Allison, the Deputy Director of the Enabling Access to Justice Division; Bronagh O'Reilly, the Head of the Modernisation Programme; John Bradley, the Head of Civil Legal Aid Reform; and Chris Barry, the Head of Taxation Review, joined the meeting at 2.58pm.

The officials provided an overview of their work in ensuring that the appropriate options and supports are in place to support citizens' access to justice. They outlined key issues, including the civil justice modernisation programme; the fundamental review of civil legal services; the fundamental review of criminal legal aid; matters around the Taxation Reform Branch; and the statutory registration scheme and emerging priorities.

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 request further information on the key areas of ongoing work regarding the current delivery programme, including information on the impact that the programme is having.

**Agreed:** The Committee agreed to write to the Department of Health to request further information on the proposed Adult Protection Bill, including the planned time frame for the Bill and when it will be introduced; and details of the consultation, including any impact assessments that were conducted by the Department.

## **6. Legislative Consent Motion — the Post Office (Horizon System) Offences Bill — Draft Committee Report**

The Committee considered a draft report on the Legislative Consent Memorandum for the provisions in the Post Office (Horizon System) Offences Bill to be extended to Northern Ireland and the Legislative Consent Motion to be brought forward by the Minister of Justice.

### **Title Page, Contents Page and Committee Membership and Powers Page**

The Committee considered the Title Page, Contents Page and Committee Membership and Powers Page as drafted.

**Agreed:** The Committee agreed that it was content with the Title Page, Contents Page and Committee Membership and Powers Page.

### **Background**

The Committee considered the Background section of the report (paragraphs 1 to 7) as drafted.

**Agreed:** The Committee agreed that it was content with the Background section of the report.

### **Purpose of the Legislative Consent Motion**

The Committee considered the Purpose of the Legislative Consent Motion section of the report (paragraph 8) as drafted.

**Agreed:** The Committee agreed that it was content with the Purpose of the Legislative Consent Motion section of the report.

### **Committee Consideration of the Legislative Consent Motion**

The Committee considered the Committee Consideration of the Legislative Consent Motion section of the report (paragraphs 9 to 17) as drafted.

**Agreed:** The Committee agreed that it was content with the Committee Consideration of the Legislative Consent Motion section of the report.

### **Conclusion**

The Committee considered the Conclusion section of the report (paragraphs 18 and 19) as drafted.

The Chairperson proposed one amendment to paragraph 18 of the draft report to highlight the political agreement and collaboration on this issue to ensure that sub-postmasters in Northern Ireland are treated on the same basis as their counterparts in England and Wales.

Committee Member Stewart Dickson proposed one amendment to paragraph 18 of the draft report to reflect the initial reluctance of the UK Government to extend the provisions to Northern Ireland.

**Agreed:** The Committee agreed that it was content with the proposed amendments to paragraph 18 of the draft report.

**Agreed:** The Committee agreed that it was content with the Conclusion section of the report, subject to the two amendments as outlined above.

### **Appendices**

The Committee considered the Appendices section of the report.

**Agreed:** The Committee agreed that it was content that the Appendices be included in the report.

**Agreed:** The Committee agreed that it was content for the minutes of this meeting (23 May 2024) to be added to Appendix 2 when agreed.

**Agreed:** The Committee agreed that it was content for the Report on the Post Office (Horizon System) Offences Bill Legislative Consent Motion to be published and issued to all MLAs.

## **7. SL1 — Proposed Amendments to Magistrates' Court Rules/Crown Court Rules**

The Committee considered a proposal for a Statutory Rule to be made to amend Magistrates' Court Rules and Crown Court Rules to take into account special measures provided for in the Domestic Abuse and Civil Proceedings Act (Northern Ireland) 2021 and the Protection from Stalking Act (Northern Ireland) 2022.

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

## **8. Review of List of Specified Offences**

The Committee noted a written paper from the Department of Justice that provided an update on progress with the review of the List of Specified Offences.

**Agreed:** The Committee agreed to write to the Department of Justice to ask for information on the inclusion of new offences, with specific reference to the Adults with Incapacity (Scotland) Act 2000 and whether the highlighted provision extends to Northern Ireland.

## **9. Stopping Domestic and Sexual Violence and Abuse Strategy — Progress Report on Year 7 and Addendum Action Plan**

The Committee noted the Department of Justice's paper providing an update on the progress against the seven-year Stopping Domestic and Sexual Violence and Abuse Strategy's current action plan.

## **10. Modern Slavery and Human Trafficking Strategy 2024-27**

The Committee noted the Department of Justice's intention to publish the Modern Slavery and Human Trafficking Strategy 2024-27.

## **11. Forward Work Programme**

The Committee noted the updated forward work programme.

The Chairperson requested that, in future, when items of subordinate legislation appear on the Forward Work Programme, information on whether they will involve a written briefing or an oral briefing be included.

## **12. Correspondence**

- i. The Committee considered a response from the Department of Justice regarding the potential Legislative Consent Motion on the Arbitration Bill.

Committee Members were informed that, given the announcement that a General Election will be held on 4 July 2024, the Department of Justice has advised that the Arbitration Bill would fall and that, therefore, there would be no need for the Committee to continue with its consideration of the legislative consent motion.

Committee Members were also informed that the Criminal Justice Bill and the Prison Media Bill would also fall.

**Agreed:** The Committee agreed to note the item.

- ii. The Chairperson drew Members' attention to an invitation from THRiVE to a conference on 4 and 5 June 2024 at Stranmillis College regarding "innovative and collaborative approaches" to tackling the impact of poverty on children and young people and advised that any Member wishing to attend could book their place through the website.

The Committee noted the following:

- iii. a ministerial statement from 14 May regarding a meeting under the Inter-Governmental Agreement on co-operation on criminal justice matters on 11 April 2024;
- iv. a response from the Department of Justice regarding legal protection for retail workers in Northern Ireland, which outlined the Department's intention to address the issue in the forthcoming Sentencing Bill;
- v. a copy of correspondence of a response to the Committee for Education regarding the portability of AccessNI checks;
- vi. a response from the Department of Justice regarding the recommendations made in the Criminal Justice Inspection Northern Ireland report on Part 1 of the Domestic Abuse and Civil Proceedings Act (Northern Ireland) 2021;
- vii. a response from the Department of Justice regarding Retail NI's report 'Working Together: Retail NI's Plan to Tackle Retail Crime' and the practice of facial recognition laws in Northern Ireland;
- viii. a response from the Department of Justice regarding a potential Legislative Consent Motion on the Prison Media Bill;
- ix. correspondence from the Department of Justice regarding the implementation of the Aarhus Convention in Northern Ireland and access to information, public participation in decision-making and access to justice in environmental matters;
- x. a copy of correspondence from the Public Prosecution Service to the Committee for The Executive Office regarding Historical Institutional Abuse prosecutions data;
- xi. correspondence from the Public Prosecution Service regarding the recommendations made in the Criminal Justice Inspection Northern Ireland report on Part 1 of the Domestic Abuse and Civil Proceedings Act (Northern Ireland) 2021, including an action plan to address the recommendations;
- xii. correspondence from the Committee for the Economy regarding the Association of British Insurers' written paper from its oral evidence session

with the Committee for the Economy on 15 May 2024 on motor insurance in Northern Ireland.

- xiii. correspondence from the Northern Ireland Fiscal Council regarding an assessment report of the Northern Ireland Executive's 2024-25 Budget; and
- xiv. a response from the Institute of Professional Legal Studies regarding student placements and costs involved in hiring students on a full-time basis.

### **13. Chairperson's Business**

There was no Chairperson's business.

### **14. Any other Business**

There was no other business.

### **15. Date, Time and Place of Next Meeting**

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

*The Meeting was adjourned 4.03pm.*

Joanne Bunting MLA

Chairperson, Committee for Justice