



Northern Ireland
Assembly

Committee for Justice

Minutes of Proceedings

Thursday 13 February 2025

Room 30, Parliament Buildings, Belfast

Present:

Joanne Bunting MLA (Chairperson)

Danny Baker MLA

Maurice Bradley MLA

Stephen Dunne MLA

Connie Egan MLA

Ciara Ferguson MLA

Present by Video or Teleconference:

Deirdre Hargey MLA (Deputy Chairperson)

Doug Beattie MLA

Justin McNulty MLA

In Attendance:

Kathy O'Hanlon (Assembly Clerk)

Thomas McKillop (Senior Assistant Assembly Clerk)

Jonny Redpath (Assistant Assembly Clerk)

Aaron Pakenham (Clerical Officer)

The meeting commenced at 2.05pm in public session.

Agreed: That the oral evidence session with the Law Society of Northern Ireland on the Enabling Access to Justice Programme would be recorded by Hansard.

Deirdre Hargey joined the meeting at 2.06pm.

Danny Baker declared an interest in relation to an immediate family member who works for the Probation Board for Northern Ireland.

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 an immediate family member who works for the Northern Ireland Courts and Tribunals Service.

Joanne Bunting, Connie Egan, Ciara Ferguson and Deirdre Hargey each declared an interest as members of the All Party Group on Access to Justice.

The Chairperson welcomed Danny Baker to his first meeting as a Member of the Committee for Justice.

1. Apologies

There were no apologies.

2. Draft Minutes

Agreed: The Committee agreed the minutes of the meeting held on Thursday 6 February 2025.

3. Matters Arising — Justice Bill: Committee's Call for Evidence

The Chairperson advised Members that, as previously agreed, the Committee's call for evidence on the Justice Bill was launched on Friday 7 February 2025 and that it would be open for six weeks until 21 March 2025. The Chairperson further advised that messages will be posted on social media at various intervals throughout the period that the call for evidence is open.

The Committee noted the text and the graphics for the planned social media posts.

Agreed: The Committee agreed to invite the Northern Ireland Policing Board to provide oral evidence on the Justice Bill.

4. Enabling Access to Justice Reform Programme — Law Society of Northern Ireland oral evidence

The following witnesses from the Law Society of Northern Ireland joined the meeting at 2.09pm:

- David Lavery — Chief Executive;
- Peter O'Brien — Deputy Chief Executive;
- Brian Archer — Chair of the Access to Justice Group; and
- Pearse MacDermott — Solicitors' Criminal Bar Association.

The witnesses provided oral evidence on the Department of Justice's Enabling Access to Justice Reform Programme.

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

During the evidence session, the witnesses agreed to provide the Committee with details on system changes or reform they consider necessary, particularly in respect of family law cases.

Agreed: To ask the Legal Services Agency Northern Ireland for a breakdown of legal aid spending by case type.

Agreed: To ask the Department of Justice for an update on the work to establish a reference group to identify, collate and validate data and whether that work

can proceed in advance of the establishment of an independently-chaired working group.

Agreed: To schedule an oral evidence session with the Minister of Justice to discuss a number of matters, including:

- the Criminal Bar Association's withdrawal of services and the potential industrial action by the Law Society of Northern Ireland's Immigration Practitioners' Group (IPG);
- the terms of reference for the review of the Creswell/Simpson case;
- the review of the Northern Ireland Policing Board;
- the Northern Ireland Civil Service staff handbook, with particular reference to prison officers; and
- the Police Ombudsman for Northern Ireland.

The Chairperson asked Members to inform the Committee of any additional matters they may wish to discuss with the Minister in advance of the oral evidence session.

The Committee noted correspondence from the IPG regarding its recent vote to commence industrial action resulting in the cessation of all legally aided immigration and asylum work.

Agreed: To ask the Department of Justice for its response to the demands set out in the IPG correspondence and its concerns that it is not appropriate to mirror the uplift in England and Wales; and an assessment of the impact of the industrial action by the IPG.

5. SL1 — The Electronic Monitoring Requirements (Responsible Officer) (Amendment) Order (Northern Ireland) 2025

The Committee considered a proposal for a Statutory Rule to authorise the organisations providing Electronic Monitoring services in Northern Ireland.

The Chairperson reminded Members that the Committee initially considered the proposal for this Statutory Rule at its meeting on 23 January 2025 and that it had

agreed to ask the Department for further information on a number of matters. The Committee considered the Department's response to its queries.

Agreed: To invite departmental officials to attend the Committee to provide oral evidence on the proposal for the Statutory Rule.

6. The Fostering Placement and Fostering Agency Regulations (Northern Ireland) 2025 — Department of Health written paper

The Chairperson reminded Members that, at its meeting on 16 January 2025, the Committee considered a written paper from the Department of Health advising of its intention to make a Statutory Rule relating to fostering placement and fostering agency regulations and that, although the formal consideration of the proposal for the Rule is a matter for the Committee for Health, the SL1 was shared with the Committee for Justice as it proposes to introduce offences.

The Chairperson further reminded Members that, after initially considering the information from the Department of Health, the Committee agreed to request more detailed information on what the proposed new offences will be, including whether they will attract penalties or what the implications of committing an offence might be.

The Committee considered the Department of Health's response to its queries.

Agreed: To write to the Committee for Health, the Department of Health and the Department of Justice to advise of the Committee's concerns that the relevant guidelines and framework may potentially not be in place before the Statutory Rule comes into effect.

7. Draft Budget 2025-26 — Non-departmental Public Bodies' written papers

The Committee noted written papers from Criminal Justice Inspection Northern Ireland, the Probation Board for Northern Ireland, the Police Service of Northern Ireland (PSNI), the Police Rehabilitation and Retraining Trust, and the Office of the Police Ombudsman on their draft 2025-26 Budget position.

Agreed: To ask the Department of Justice for:

- details of work it is doing to support cross-departmental working in an effort to address high levels of reoffending; and
- a written update on the work the Department has undertaken in relation to the impact of short sentences or other options available to the judiciary on reoffending.

8. Correspondence

- A response from the Department of Justice to the Committee's second request for information on the PSNI injury-on-duty scheme and the Northern Ireland Policing Board.

Agreed: To explore the issues with the Northern Ireland Policing Board during the oral evidence session on the Justice Bill.

Agreed: To consider a potential amendment to the Justice Bill to transfer responsibility for the injury-on-duty scheme when all written and oral evidence has been received.

Agreed: To request a further response from the Department addressing the specific questions asked by the Committee, which should be escalated to the Minister's Private Office if necessary in order to obtain the required information.

The Committee noted the following items of correspondence:

- An analysis from the Committee for Finance of 2024-25 public expenditure out-turn and forecast out-turn information;
- A copy of correspondence from the PSNI to the Committee for The Executive Office regarding historical institutional abuse prosecutions; and
- The Independent Anti-Slavery Commissioner's Strategic Plan for 2024 to 2026.

9. Forward Work Programme

Agreed: To reschedule the Committee's consideration of the report on the Domestic Abuse and Civil Proceedings Act (Northern Ireland) 2021 from 27 February 2025 to 6 March 2025.

Agreed: To schedule consideration of an SL1 for the Coronavirus Act 2020 (Extension of Provisions Relating to Live Links for Courts and Tribunals) Order (Northern Ireland) 2025 for the meeting on 27 February 2025.

Agreed: To schedule consideration of a paper from the Assembly's Research and Information Service on Mental Health Courts for a suitable date in the work programme.

Agreed: To proceed with the sessions in the updated draft forward work programme, subject to the changes as agreed at today's meeting.

10. Chairperson's Business

The Chairperson informed Members that the Department of Justice has advised that the terms of reference for the review of the Creswell/Simpson case would be available week commencing 17 February 2025.

Agreed: That the terms of reference will be circulated to Committee Members by email when available and will be included in the meeting pack for the meeting on 27 February 2025.

11. Any other Business

The was no other business.

12. Date, Time and Place of Next Meeting

The Chairperson advised Members that, owing to the Committee visit next week to the Northern Ireland Courts and Tribunals Service at Laganside House, the next

meeting will take place on Thursday 27 February 2025 at 2.00pm in Room 30, Parliament Buildings.

The Meeting was adjourned at 4.49pm.

Joanne Bunting MLA

Chairperson, Committee for Justice