



Northern Ireland
Assembly

Committee for Justice

Minutes of Proceedings

THURSDAY 14 November 2024

Room 30, Parliament Buildings, Belfast

Present:

Joanne Bunting MLA (Chairperson)

Deirdre Hargey MLA (Deputy Chairperson)

Maurice Bradley MLA

Connie Egan MLA

Ciara Ferguson MLA

Present by Video or Teleconference:

Doug Beattie MLA

Stephen Dunne MLA

Justin McNulty MLA

Apologies:

Sinéad Ennis MLA

In Attendance: Caroline Perry (Assembly Clerk)
Thomas McKillop (Senior Assistant Assembly Clerk)
Jonny Redpath (Assistant Assembly Clerk)
Mark McConnell (Clerical Supervisor)
Aaron Pakenham (Clerical Officer)

The Committee agreed to start the meeting in closed session for consideration of the Committee approach to the Justice Bill.

The meeting commenced at 2.03pm in closed session.

1. Apologies

As above.

2. Justice Bill – Committee Approach

The Committee noted the text of three sets of amendments that the Minister plans to table in advance of the Consideration Stage of the Justice Bill. These relate to biometrics, restorative justice and reform of rehabilitation periods.

Deirdre Hargey joined the meeting at 2.05pm.

The Chairperson reminded Committee Members that the Committee previously agreed to publish all Bill-related documents.

The Committee noted a paper from the Assembly's Research and Information Service (RaISe) that provided information on the Scottish Biometrics Commissioner, a table from the Assembly's Bill Office that outlined the existing legislation that the Justice Bill aims to amend, and a draft list of potential stakeholders and expert witnesses that the Committee may wish to consider taking evidence from during Committee Stage.

The Committee noted correspondence from the Department of Justice in response to its request for a Keeling schedule.

The Committee noted correspondence from the Department of Justice in response to the Committee's request for further information on a number of matters relating to the Bill.

The Committee noted correspondence from the Department of Justice in response to the Committee's request for information on the financial implications of the Bill.

The Committee noted correspondence from the Department of Justice to RalSe on the financial aspects of the Bill. The Chairperson reminded Committee Members that this item of correspondence had been included in the pack for the meeting of 26 September 2024 and that it was included again for the Committee's information.

Justin McNulty joined the meeting at 2.09pm.

The Committee Clerk outlined a number of options regarding the Call for Evidence for the Committee Stage of the Justice Bill.

Connie Egan stated a preference for the Call for Evidence to commence as soon as possible.

Ciara Ferguson stated a preference to wait until the text of all the amendments has been received so that an undue burden is not placed on the community and voluntary sector by potentially having to provide evidence more than once.

Agreed: The Committee agreed that it was content to start its Call for Evidence in the new year, subject to receiving the text of all the amendments that the Minister intends to table in advance of Consideration Stage within the time frames the Department has previously set out.

The meeting moved into public session at 2.31pm.

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.

3. Draft Minutes

Agreed: The Committee agreed the minutes of the meeting held on Thursday 24 October 2024.

4. Matters Arising

The Committee noted the Twenty-fifth Report of the Examiner of Statutory Rules, which reported on SR 2024/173 — The Coronavirus Act 2020 (Extension of Provisions Relating to Live Links for Courts and Tribunals) (No.2) Order (Northern Ireland) 2024.

The Chairperson reminded Committee Members that, at its meeting on 24 October 2024, the Committee heard evidence from the Examiner of Statutory Rules and agreed that it was content to recommend that the Statutory Rule be approved by the Assembly.

5. The Arbitration Bill — Legislative Consent Memorandum — Draft Committee Report

The Chairperson reminded Committee Members that they had received oral evidence on a Legislative Consent Memorandum for the Arbitration Bill from departmental officials at the meeting of 24 October 2024 and that the Committee agreed to the laying of a Legislative Consent Memorandum before the Assembly as soon as possible.

The Chairperson informed Committee Members that the Legislative Consent Memorandum was laid in the Assembly Business Office on 8 November 2024 and that, under Standing Order 42(A)7, the Committee had up to 15 working days from the laying date to complete its report to the Assembly. The Committee report must therefore be completed by 28 November 2024.

The Chairperson informed Members that a revised Legislative Consent Memorandum was laid in the Business Office with a change to the wording of the original and that the date for completion of the Committee's report remained the same.

The Committee considered and noted a draft report on the Legislative Consent Memorandum for the Arbitration Bill and was advised that the formal line-by-line agreement of the report was scheduled to happen at the Committee meeting on 21 November 2024.

6. Repeal of Vagrancy Legislation – Consultation – Department of Justice written paper

The Committee noted a written paper from the Department of Justice advising of its intention to conduct a public consultation on the repeal of section 4 of the Vagrancy (Ireland) Act 1824 and section 3 of the Vagrancy (Ireland) Act 1847. The Department intends to conduct a nine-week consultation that will finish in January 2025. The Committee also noted the draft consultation.

The Chairperson noted that a nine-week period between November 2024 and January 2025 is not ideal timing for a consultation.

Agreed: The Committee agreed to write to the Department of Justice to remind it of the need to meet deadlines regarding providing papers to the Committee.

7. Victim and Witnesses Bill — Consultation on proposals — Department of Justice written paper

The Committee noted a written paper from the Department of Justice advising of its intention to conduct a public consultation on proposals in relation to the planned Victims and Witnesses Bill and the draft consultation. The Department intends to conduct a 10-week consultation that will finish in January 2025.

The Committee noted that it was not a good idea to consult during the Christmas period.

Agreed: The Committee agreed to write to the Department of Justice to ask for a table that outlines current and planned consultations, including opening and closing dates.

8. Business Plan 2024-2025 — Progress update — Department of Justice written paper

The Committee noted a Department of Justice written paper on its draft Business Plan for 2024-25, a progress update and a draft Corporate Business Plan for 2024-25.

Agreed: The Committee agreed to write to the Department to ask when the next corporate and business plans will be available, how they will align with the Department's budget in the context of monitoring rounds and whether they will include detailed and deliverable outcomes.

9. Forward Work Programme

The Committee noted an updated Committee forward work programme and a proposed forward work programme from the Department of Justice.

10. Correspondence

- i. The Committee noted correspondence from Advice Northern Ireland requesting the extension of the Bereavement Service to Northern Ireland to match the "Tell us Once" service in GB.

Joanne Bunting declared an interest as Chair of the All-Party Group on Terminal Illness.

Agreed: The Committee agreed to write to the Committee for Finance and the Department of Finance to ask whether there are any plans for Northern Ireland to be included in the "Tell us Once" service.

- ii. The Committee noted correspondence from the Minister of Justice regarding an update on the Enabling Access to Justice Reform Programme in light of the Burgess Report and industrial action by the Criminal Bar Association.

The Chairperson reminded Committee Members that the correspondence was emailed to them on 25 October 2024.

Agreed: The Committee agreed to write to the Department of Justice to ask for statistics regarding Legal Aid payments and for an assessment of the impact of the strike on courts and on individuals.

- iii. The Committee noted correspondence from the Department of Justice regarding the 2024-25 October monitoring round.

Agreed: The Committee agreed to forward the correspondence to the Committee for Finance.

- iv. The Committee noted a press release announcing the appointment of the new Prisoner Ombudsman.

Agreed: The Committee agreed to write to the new Ombudsman to congratulate him on his appointment.

- v. The Committee noted a response from the Department of Finance to queries raised regarding the Northern Ireland Civil Service sickness policy.

Agreed: The Committee agreed to forward the correspondence to the Committee for Finance and to highlight its concerns regarding the use of the NICS inefficiency sickness absence procedures in respect of dealing with prison custody officers and other prison service staff.

- vi. The Committee noted correspondence from the Northern Ireland Policing Board containing the Board's response to the draft Programme for Government 2024-2027.

Agreed: The Committee agreed to forward the correspondence to the Committee for The Executive Office.

- vii. The Committee noted correspondence from the Commissioner Designate for Victims of Crime in relation to the report 'Victim Personal Statements (VPS): Analysis of Policy and Practice in Northern Ireland'.

Agreed: The Committee agreed to forward the correspondence to the Department of Justice and to ask what it plans to do regarding the recommendations.

- viii. The Committee noted correspondence from the National Society for the Prevention of Cruelty to Children (NSPCC) requesting an update on timescales regarding the Justice Bill and amendments.

Agreed: The Committee agreed to consider adding a potential evidence session with the NSPCC to the forward work programme.

- ix. The Committee noted correspondence from the Solicitors' Criminal Bar Association requesting an opportunity to give evidence to the Committee on the Justice Bill.

Agreed: The Committee agreed to consider adding a potential oral evidence session with Solicitors' Criminal Bar Association to the forward work programme.

- x. The Committee noted correspondence from the Northern Ireland Human Rights Commission that included an invitation to the launch of its Annual Human Rights Statement 2024 event on Monday 9 December 2024.

The Committee was advised that links to register for the event will be sent in due course.

- xi. The Committee noted correspondence from Criminal Justice Inspection Northern Ireland regarding its report on an inspection on the governance and operation of the Parole Commissioners for Northern Ireland.

Deirdre Hargey raised a concern regarding the increase in the number of prisoners on remand.

Agreed: The Committee agreed to consider adding a potential evidence session with the Parole Commissioners for Northern Ireland to the forward work programme.

The Committee noted the following:

- xii. an oral ministerial statement regarding ongoing work to reform access to justice that was made to the House on 4 November 2024;
- xiii. a response from the Department of Justice to a letter from the Clerk to the Committee for Communities regarding disability rights and representation;

- xiv. a Department of Justice press release regarding the report 'The Northern Ireland Prison Population 2023-24'.
- xv. correspondence from the Department of Justice regarding the 'Youth Justice Agency Performance Impact Report 2023-24' and an external evaluation report from Queen's University Belfast on Children's Diversion Forums;
- xvi. a response from the Department of Justice regarding prisoner releases on Fridays;
- xvii. correspondence from the Department of Justice regarding a revised return to the Department of Finance on its 2025-26 information-gathering exercise;
- xviii. correspondence from the Department of Justice providing an update on departmental input to the UK final progress report on compliance with the Aarhus Convention;
- xix. correspondence from the Department of Justice containing a summary of responses to a call for evidence on abuse of a position of trust;
- xx. correspondence from the Office of the Northern Ireland Executive in Brussels containing the Brussels Report for July to September 2024;
- xxi. forwarded correspondence from Department of Finance to the Committee for Finance regarding the Public Spending Directorate 2024-25 public expenditure outturn information — September (R06) position;
- xxii. forwarded correspondence from the Department of Finance to the Committee for Finance regarding a Budget 2025-26 and Future Years information-gathering exercise;
- xxiii. correspondence from the Committee for Finance regarding an urgent oral statement by the Minister of Finance on the Autumn Budget 2024 that was made on 4 November 2024;
- xxiv. forwarded correspondence from the Committee for Finance regarding an oral ministerial statement by the Minister of Finance on Public Expenditure 2024-25 and the October monitoring round that was made on 11 November 2024;

- xxv. forwarded correspondence from the Minister for Infrastructure to the Committee for Infrastructure regarding the number of zero-emissions vehicles within the Department for Infrastructure fleet;
- xxvi. correspondence from the Public Accounts Committee regarding its primacy over Northern Ireland Audit Office reports published up to 22 October 2024;
- xxvii. correspondence from Investment Strategy Northern Ireland regarding an investing activity report for the Department of Justice; and
- xxviii. correspondence from the Financial Conduct Authority containing an invitation to the Chairperson and Deputy Chairperson to meet with Matt Brewis, Director of Insurance.

11. Chairperson's Business

The Committee noted a meeting note detailing a meeting between the Minister of Justice and the Chairperson and Deputy Chairperson of the Committee for Justice. Justin McNulty commended the Chairperson for sharing with the Committee a note of the meeting with the Minister.

The Chairperson provided an outline of a quarterly meeting that she had with the Northern Ireland Policing Board on 12 November 2024.

The Chairperson provided an outline of a meeting that she had with the President of the Supreme Court of the United Kingdom, Lord Reed, and Lord Stephens, a Justice of the Supreme Court, on 13 November 2024.

Agreed: The Committee agreed to write to Supreme Court officials to thank them for the meeting.

Agreed: The Committee agreed to share the Supreme Court's engagement opportunities for schools on its social media channels.

The Chairperson reminded Members that a visit to Inverary House has been scheduled for 28 November 2024 and asked them to inform the Committee team of their intention to attend or otherwise as soon as possible.

12. Any other Business

There was no other business.

13. Date, Time and Place of Next Meeting

Members were advised that the next meeting will take place on 21 November 2024 at 2.00pm in Room 30, Parliament Buildings.

The Meeting was adjourned at 3.10pm.

Joanne Bunting MLA

Chairperson, Committee for Justice