



Northern Ireland  
Assembly

## Committee for Justice

### Minutes of Proceedings

**THURSDAY 19 SEPTEMBER 2024**

**Room 30, Parliament Buildings, Belfast**

**Present:**

Joanne Bunting MLA (Chairperson)

Deirdre Hargey MLA (Deputy Chairperson)

Doug Beattie MLA

Maurice Bradley MLA

Stephen Dunne MLA

Stewart Dickson MLA

Ciara Ferguson MLA

**Present by Video or Teleconference:**

Sinéad Ennis MLA

Justin McNulty MLA

**In Attendance:** Caroline Perry (Assembly Clerk)  
Sarah-Anne McKinley (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 a briefing from the Bill Office on the Bill process in the Assembly, further to the introduction of the Justice Bill on Tuesday 17 September 2024.*

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

**Agreed:** The Committee agreed that members of staff from the Bill Office and the Research and Information Service (RaISe) could sit in the public gallery during the closed session.

## **1. Apologies**

There were no apologies.

## **2. Bill Process in the Assembly: Bill Office**

Liz Marsh, Assembly Bill Clerk in the Bill Office, joined the meeting at 2.03pm.

The Bill Clerk provided an overview of the Bill process in the Northern Ireland Assembly, with particular reference to the Justice Bill, which was introduced on Tuesday 17 September 2024.

*Deirdre Hargey joined the meeting at 2.07pm.*

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

The Chairperson thanked the Bill Clerk for her attendance and she left the meeting.

*The meeting moved into public session at 2.53pm.*

*The Chairperson welcomed Stephen Dunne as a new Member to the Committee.*

*The Chairperson thanked Sarah-Anne McKinley, who is moving to the Committee for Finance, for her work on the Committee for Justice.*

**Agreed:** The Committee agreed that the oral evidence session with RalSe and the oral evidence session with departmental officials on SR 2024/147 The Police Service of Northern Ireland and Police Service of Northern Ireland Reserve (Injury Benefit) (Amendment) (No. 2) Regulations 2024 would be recorded by Hansard.

*Maurice Bradley declared an interest in relation to correspondence he has received and meetings he has had about the injury-on-duty scheme and police pensions.*

*Joanne Bunting declared an interest in relation to correspondence she has received and meetings she has had about the injury-on-duty scheme and police pensions.*

*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 12 September 2024, subject to two amendments.

### **4. Matters Arising**

The Committee noted the terms of reference for the review of the Northern Ireland Policing Board.

**Agreed:** The Committee agreed to write to the Department to ask whether legal advice was taken about a potential conflict of interest for the Minister of Justice regarding the review of the Northern Ireland Policing Board, the terms of reference for which refer to the “Schofield judgment”, in which the initials “MJ” were used. The Committee also agreed to raise concerns about the proposed timescale of the review.

The Committee noted an article from the Belfast Telegraph regarding licence breaches of prisoners.

## **5. Justice Bill: RalSe**

Judith Bailie, Justice Research officer with RalSe, joined the meeting at 3.00pm.

The RalSe official presented a paper on the Justice Bill, which was introduced to the Assembly on Tuesday 17 September 2024.

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

The oral evidence session was reported by Hansard.

The Chairperson thanked the official for her attendance and she left the meeting.

**Agreed:** The Committee agreed to commission research from RalSe's Public Finance Scrutiny Unit on the financial aspects of the Bill.

**Agreed:** The Committee agreed to commission advice from Legal Services on the Bill, with particular reference to human rights implications.

**Agreed:** The Committee agreed to consider taking evidence from expert witnesses regarding new technologies, with particular reference to Part 1 of the Bill — biometric data and the retention of fingerprints and DNA profiles.

## **6. SR 2024/147 — The Police Service of Northern Ireland and Police Service of Northern Ireland Reserve (Injury Benefit) (Amendment) (No. 2) Regulations 2024: Department of Justice**

Lynne Curran, Head of Policing Strategy and Engagement; Antonia Hoskins, Police Pensions and HR Policy Branch; and Allan Crone, Police Pensions and HR Policy Branch, joined the meeting at 3.46pm.

The witnesses provided clarification on SR 2024/147 — The Police Service of Northern Ireland and Police Service of Northern Ireland Reserve (Injury Benefit) (Amendment) (No. 2) Regulations 2024 and on the separate issue of the injury-on-duty schemes for officers in the Police Service of Northern Ireland and the Northern

Ireland Prison Service, the associated consultation and police pensions. The witnesses also provided information on the different schemes, the Regulations to which they pertain and any associated guidance.

The witnesses agreed to provide details of what information is provided to Selected Medical Practitioners, including guidance and training materials.

**Agreed:** The Committee agreed that it was content with its decision taken at the meeting on 12 September 2024 that it had no objection to the Statutory Rule.

## **7. Renewal of the Secretary of State's Direction under section 1A(7) of the Prison Act (Northern Ireland) 1953 as amended by schedule 4 to the Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010**

The Committee considered a written paper from the Department of Justice regarding the proposed renewal of the Secretary of State's Direction under section 1A(7) of the Prison Act (Northern Ireland) 1953, as amended by schedule 4 to the Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010, which stipulates that Department of Justice officials, when dealing with operational prison matters that remain in the reserved field, are to be treated as officers of the Secretary of State and are subject to his direction and control.

**Agreed:** The Committee noted the paper and agreed to write to the Department of Justice to ask whether any legal challenges are under way in relation to the Secretary of State's Direction.

## **8. Forward Work Programme**

The Committee considered an updated forward work programme and a proposed Department of Justice forward work programme.

**Agreed:** The Committee agreed to schedule a visit to Inverary House and to schedule a future visit to one of the projects from the Executive programme for tackling paramilitary activity and organised crime. The

Committee also agreed to consider a visit to Magilligan Prison later in the mandate.

**Agreed:** The Committee agreed to note the updated forward work programme and the proposed Department of Justice forward work programme.

## 9. Correspondence

- i. The Committee considered correspondence from the Department of Justice regarding the publication of its report on the operation of the Protection from Stalking Act (Northern Ireland) 2022.

**Agreed:** The Committee agreed to note the correspondence and to write to the Department to seek further explanation as to why some of the information required by the Act is not available and what steps are being undertaken to ensure full departmental compliance with its duties under the Act.

- ii. The Committee noted correspondence from the Committee for the Economy regarding an informal meeting with the Association of British Insurers and was advised that the informal meeting with the ABI and Committee for the Economy will take place on Tuesday 15 October 2024 at 1pm.
- iii. The Committee noted correspondence from the Committee for The Executive Office regarding a request for a formal response to the draft Programme for Government and was advised that departmental officials will provide evidence on the draft Programme for Government at the Committee meeting on 10 October 2024.
- iv. The Committee noted correspondence from the Committee for Finance regarding the Budget 2025-26 timeline, Budget commissioning templates, and scrutiny of budgeting for the Programme for Government. The Committee agreed to consider this correspondence further as part of the Budget update/ October monitoring oral evidence session at its meeting on 26 September 2024 and during the draft Programme for Government oral evidence session at its meeting on 10 October 2024.

The Committee noted the following:

- v. correspondence from the Department of Justice regarding an annual progress report for 2023-24 on the Adult Restorative Justice strategy;
- vi. a copy of correspondence from the Department for the Economy to the Committee for the Economy regarding the treatment of individuals with learning disabilities at employment tribunals;
- vii. a copy of correspondence from the Minister of Finance regarding policy interest in strategic lawsuits against public participation;
- viii. correspondence from the Northern Ireland Audit Office regarding its report 'Northern Ireland Audit Office Coverage of the Department of Justice' Departmental Guide on the Department of Justice; and
- ix. the Northern Ireland Human Rights Commission's and Equality Commission for Northern Ireland's Annual Report on the Implementation of Article 2 of the Windsor Framework.

## **10. Chairperson's Business**

There was no Chairperson's business.

## **11. Any Other Business**

The Committee discussed the Criminal Justice Inspection Northern Ireland report 'The Effectiveness of Criminal Court Administration' and an Irish News article about the number of errors made within the Northern Ireland Courts and Tribunals Service.

The Committee discussed a number of emerging issues, including licence breaches of prisoners and sickness absence levels in the Department of Justice.

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

Members were informed that the next Committee meeting is scheduled for Thursday 26 September 2024 at 2.00pm in Room 30.

*The Meeting was adjourned at 4.26pm.*

Joanne Bunting MLA

Chairperson, Committee for Justice