



Northern Ireland
Assembly

Committee for Justice

Minutes of Proceedings

Thursday 6 March 2025

Room 30, Parliament Buildings, Belfast

Present:

Joanne Bunting MLA (Chairperson)

Deirdre Hargey MLA (Deputy Chairperson)

Danny Baker MLA

Maurice Bradley MLA

Stephen Dunne MLA

Ciara Ferguson MLA

Present by Video or Teleconference:

Doug Beattie MLA

Connie Egan MLA

Justin McNulty MLA

In Attendance:

Kathy O'Hanlon (Assembly Clerk)

Thomas McKillop (Senior Assistant Assembly Clerk)

Jonny Redpath (Assistant Assembly Clerk)

Stephen Corr (Clerical Supervisor)

Aaron Pakenham (Clerical Officer)

The Committee agreed to start the meeting in closed session for a briefing from the Examiner of Statutory Rules on the delegated powers in the revised delegated powers memorandum and a proposed amendment to Justice Bill.

The meeting commenced at 2.17pm in closed session.

1. Apologies

There were no apologies.

2. Justice Bill — Delegated Powers in Proposed Amendments — Examiner of Statutory Rules oral briefing

The Examiner of Statutory Rules, Angela Kelly, and Catriona Doherty, a Legal Adviser in the Office of the Examiner of Statutory Rules, joined the meeting at 2.17pm.

The officials briefed the Committee on the Department of Justice's revised delegated powers memorandum and the delegated powers in the proposed Live Links (Courts and Tribunals) amendments to the Justice Bill.

The briefing was followed by a question-and-answer session.

The Chairperson thanked the officials and they left the meeting at 2.59pm.

The Committee agreed to write to the Department to request:

- that the Department considers changing the proposed Assembly procedure in clause 1(1), which relates to proposed new article 63E(11) of the Police and Criminal Evidence (Northern Ireland) Order 1989, from negative resolution to draft affirmative resolution;

- an update on progress to address the issue previously identified by the Examiner of Statutory Rules regarding the absence of Assembly scrutiny procedure for the rule making power in clause 3(10); and
- that the Department provides a delegated powers memorandum for each of the proposed amendments to the Justice Bill that contain rule-making powers.

The meeting was suspended at 2.59pm.

The meeting resumed at 3.05pm in public session.

Agreed: The Committee agreed that the oral evidence session with the Information Commissioner's Office on the biometrics clauses in the Justice Bill would be recorded by Hansard.

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.

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 as a member of the All Party Group on Access to Justice. The Chairperson noted that Connie Egan, Ciara Ferguson and Deirdre Hargey are also members of the All Party Group on Access to Justice.

3. Draft Minutes

Agreed: The Committee agreed the minutes of the meeting held on Thursday 27 February 2025.

4. Matters Arising

Agreed: To send a thank-you letter to the Northern Ireland Courts and Tribunals Service for accommodating the Committee's visit on 20 February 2025.

5. Justice Bill — Biometrics — The Information Commissioner's Office oral evidence

Caroline Mooney, Head of Northern Irish Affairs; and Paula Hamilton, Senior Policy Officer, joined the meeting at 3.07pm.

The witnesses provided oral evidence on the Biometrics provisions in the Justice Bill.

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

The Chairperson thanked the witnesses and they left the meeting at 4.05pm.

The oral evidence session was reported by Hansard.

Agreed: To ask the Department of Justice to respond to a number of issues that were raised in the written submission from the Information Commissioner's Office.

Agreed: To request information from the Department on a number of issues including: how long it is expected to take to develop necessary IT systems to support the biometrics provisions; details of the estimated costs of IT systems and any engagement between the Department and the PSNI on this matter; when the Department expects to commence the biometrics provisions and how it will ensure the necessary systems and processes are in place; whether there has been North-South co-operation in relation to international databases and the exchange of information; and details of the protocols regarding the deletion of data from databases across jurisdictions, including clarification of which jurisdiction will take precedence where retention periods vary across jurisdictions, both nationally and internationally.

Agreed: To ask the PSNI for information on the use of photographs for different purposes and at what point a photograph is considered as biometric data.

6. Justice Bill — Written Papers

6.1 Correspondence from the Taxing Master

The Committee considered a response from the Taxing Master to its invitation to provide oral evidence on clause 28 (Restriction on ordering taxation of legal aid costs) of the Justice Bill.

Agreed: That Committee staff will collate a list of issues raised during evidence sessions for consideration by the Committee in advance of issuing to the Lady Chief Justice for response.

6.2 Correspondence from the Attorney General for Northern Ireland

The Committee noted a response to its Call for Evidence from the Attorney General for Northern Ireland stating that she does not intend to make a submission on the Justice Bill.

6.3 Youth Assembly

The Chairperson informed the Committee that the Youth Assembly has been considering the Justice Bill and intends to produce a report for the Committee; and that the Youth Assembly had requested an opportunity to provide oral evidence to the Committee.

Agreed: To schedule an oral evidence session on the Justice Bill with the Youth Assembly for 10 April 2025.

The Chairperson advised the Committee that the views of other young people are also being sought via other organisations.

7. Post-legislative Scrutiny — Department of Justice Responses

The Committee considered responses from the Department of Justice to questions that it had asked regarding a number of Justice Acts passed during the 2011 to 2016 mandate and the 2017 to 2022 mandate.

Agreed: To schedule the consideration of the response to each Act in the forward work programme and to consider potential evidence sessions with departmental officials and other stakeholders.

8. Domestic Abuse and Civil Proceedings Act (Northern Ireland) 2021 — Report on Operation — Department of Justice written paper

The Committee considered the Department of Justice's notification that it plans to publish a report as required under section 34 of the Domestic Abuse and Civil Proceedings Act (Northern Ireland) 2021.

Agreed: To schedule an oral evidence session with Department of Justice officials on issues raised in the report and wider matters relating to domestic abuse.

9. Court-ordered Community Sentences for Children — Proposed Consultation — Department of Justice written paper

The Chairperson advised the Committee that the Department of Justice intends to conduct a public consultation on a new single court-ordered community sentence for children to replace the existing framework.

Agreed: To ask the Department of Justice whether the Children's Law Centre and the Commissioner for Children and Young People were engaged in designing the consultation; and for information on how the proposed court-ordered community sentences relate to provisions in the Justice Bill.

10. Correspondence

- Responses from the Department of Justice, the Northern Ireland Public Services Ombudsman and the Lady Chief Justice regarding a complaint from two individuals about the handling of domestic abuse cases within the judicial system.

Agreed: To note the responses and to revisit when a substantive response is received from the Department.

Agreed: To arrange an informal meeting with the Lady Chief Justice and senior Family Judiciary.

Agreed: To ask the correspondent for permission to forward her details to the Lady Chief Justice.

Agreed: To request further information on the Judicial Studies Board from the Lady Chief Justice.

Agreed: To ask the Department of Justice and the Department of Health for information on child contact centres, including their management and what relationship they have with the judiciary.

Danny Baker left the meeting at 4.30pm.

- Correspondence from the Department of Justice regarding the publication of an executive summary report on a review that was carried out by a Domestic Homicide Review Panel.

Agreed: To request an update on the implementation of the review's recommendations, including information on who will take the lead and issues around co-ordination.

Agreed: To send the information received to the Committee for Health.

- A response from the Department of Justice to the Committee's request for the Minister's response to the independent review of the Northern Ireland Policing Board.

Agreed: To note the correspondence and consider further when more information is available.

- A forwarded report by Open Government Network Northern Ireland from the Committee for Finance, which included the finding that the Department of Justice was one of two Departments that did not proactively publish Freedom of Information or Environmental Information Regulations and that the Department of Justice had subsequently provided the required information.

Agreed: To ask the Department of Justice to clarify whether it intends to proactively publish Freedom of Information statistics in the future; and for information about why it did not or could not do so previously.

- A request from the Committee for Agriculture, Environment and Rural Affairs for the Committee for Justice's view on the Agriculture Bill, which was introduced in the Assembly on 25 November 2024.

Agreed: To submit a nil response to the Committee for Agriculture, Environment and Rural Affairs.

- A news release from the Department of Justice regarding the publication of new market research insight into the public awareness campaign by the Executive Programme on Paramilitarism and Organised Crime.

The Deputy Chairperson raised her concern that the characterisations as part of a billboard campaign were stigmatising working-class communities.

Justin McNulty raised an issue about a political party having illegally erected a billboard on Department for Infrastructure land.

Agreed: To ask the Department of Justice for the Minister's views on the illegal erection of a billboard by a political party on Department for Infrastructure land.

The Committee noted the following items of correspondence:

- A response from the Department of Justice regarding a breakdown of legal aid expenditure by case types;
- A response from the Department of Justice regarding further information on the Enabling Access to Justice programme;
- Correspondence from the Department of Justice regarding the publication of the Northern Ireland Courts and Tribunal Service quarterly provisional figures and mortgage bulletin;
- Copy correspondence from the Department of Finance regarding Northern Ireland Civil Service sickness levels;

- Northern Ireland Statistics and Research Agency Quarterly Sickness Absence data for the Northern Ireland Civil Service between October and December 2024;
- Correspondence from the Public Accounts Committee regarding the release of Renewable Heat Incentive scheme reports; and
- Correspondence from Ofcom regarding draft guidance for a consultation on proposals for measures that technology firms should take to address online harms against women and girls.

11. Forward Work Programme

The Chairperson advised Members, in reference to the evidence session next week, that the Minister of Justice will need to leave at 3.30pm and that Members should consider being present from 1.45pm in order to prepare for the session.

Agreed: That Members will provide Committee staff with details of any additional matters they wish to raise with the Minister.

The Committee considered an updated forward work programme.

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

12. Chairperson's Business

The Chairperson informed Members that she received an invitation from the Director of the Children's Law Centre to attend the Children's Law Centre Annual Lecture 2025 in her capacity as Chairperson of the Committee for Justice.

Agreed: The Committee was content that the Chairperson should attend the event.

13. Any other Business

The Deputy Chairperson referred a press release circulated to Members regarding the Department's successful transformation bids.

Agreed: To ask the Department of Justice for more detailed information on the successful bids; and an assessment of the impact regarding a bid that did not proceed and if that will be resubmitted in the future.

Justin McNulty raised an issue about the tactics of private parking companies.

The Chairperson suggested that Mr McNulty may wish to pursue this matter through Assembly Questions to the Minister for Infrastructure and the Minister of Justice.

14. Date, Time and Place of Next Meeting

Members were advised that the next meeting will take place on 13 March 2025 at 2.00pm in Room 30, Parliament Buildings.

The Meeting was adjourned at 4.49pm.

Joanne Bunting MLA Chairperson, Committee for Justice