



## **COMMITTEE FOR JUSTICE**

### **MINUTES OF PROCEEDINGS**

THURSDAY 10 APRIL 2014  
Room 30, Parliament Buildings

Present: Mr Paul Givan MLA (Chairman)  
Mr Raymond McCartney MLA (Deputy Chairman)  
Mr Stewart Dickson MLA  
Mr Tom Elliott MLA  
Mr William Humphrey MLA  
Mr Seán Lynch MLA  
Ms Rosaleen McCorley MLA  
Mr Alban Maginness MLA  
Mr Jim Wells MLA

In Attendance: Mrs Christine Darrah (Assembly Clerk)  
Ms Marie Austin (Assistant Assembly Clerk)  
Mrs Roisin Donnelly (Assistant Assembly Clerk)  
Miss Leanne Johnston (Clerical Supervisor)  
Miss Marianne Doherty (Clerical Officer)

Apologies: Mr Sydney Anderson MLA  
Mr Patsy McGlone MLA

*The meeting commenced at 2.10 p.m. in public session.*

#### **1. Apologies**

Apologies are detailed above.

#### **2. Draft minutes of the meetings held on 3 April and 8 April 2014**

The Committee approved the draft minutes of the meetings held on 3 and 8 April 2014.

#### **3. Matters Arising**

- i. The Committee noted correspondence from the Minister for Social Development and the Minister of Education on Lord Morrow's proposed new Clause 10A of the Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill which made provision for an exit strategy for those who wish to leave prostitution.

- ii. The Committee noted correspondence from the Department of Finance and Personnel providing further information on a new offence of forced marriage to be included in the Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill.
- iii. The Committee considered a draft Forward Work Programme for May and June 2014 and noted that an informal planning meeting would take place prior to the Committee's first meeting after recess to discuss priorities and scheduling of work items.

*The Committee agreed to move Agenda item 5 forward.*

#### **4. Update on the Delivery of the NI Prison Service Reform Programme**

Mrs Sue McAllister, Director General, Mr Mark Adam, Human Resources and Organisational Change Manager, Mr Paul Cawkwell, Director of Offender Policy and Operations and Mr Brian McCaughey, Director of Rehabilitation, Northern Ireland Prison Service joined the meeting at 2.14 p.m.

Mrs McAllister provided a brief update on the delivery of the prison reform programme.

A detailed question and answer session followed covering issues including: the CJINI Review Report on the prisoner escort and custody services (PECS) system; measuring reoffending rates and when these are likely to reduce; the relationship between NIPS and the Probation Service and the integration of roles; details of the work being carried out by PBNI staff in prisons; the current position regarding the Voluntary Early Retirement (VER) Scheme and when it will be completed; whether cost reductions have been realised as a result of the VER Scheme; the cost per prisoner place; details on improvements in operational performance; progress on learning and skills provision and the concept of a secure Academy; progress on the delivery of the learning and skills contract by Belfast Met and the North West Regional College; update on the drugs testing pilot scheme; measures to tackle prescription medication misuse; drug detection rates across the three prisons; the implications on healthcare resources in relation to tackling the drug problem in prisons; progress on the step down facility for women prisoners and when this will be ready; personalised sentence planning provision; capital funding commitment for a new women's facility; the priority being given to rehabilitation and the activity levels currently being achieved; the impact of reprofiling on regime delivery; levels of purposeful activity opportunities across the three prisons and how this addresses offending behaviour; measures to tackle poor levels of literacy amongst prisoners; the assessment and review of the delivery of PRT recommendations; the role of the oversight group; the integration of experienced officers and new custody officers; training and development opportunities for main grade officers; numbers of prisoners not involved in purposeful activities and the reasons for this; the types of training activities offered to prisoners; the numbers of fine defaulters in prison; the costs associated with imprisoning fine defaulters; and the number of remand prisoners.

The officials agreed to provide the Committee with further information on the management of drugs and the rehabilitation programmes within prisons.

The briefing was recorded by Hansard.

The Chairman thanked the officials and they left the meeting.

## **5. Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill – Consideration of the Draft Report**

The Committee considered a draft Report on the Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill.

*Agreed:* The Committee agreed to approve the report at the end of the meeting.

## **6. Access to Justice – Six Month Update on Delivery of the Review Recommendations**

Mr Mark McGuckin, Deputy Director, Public Legal Services Division, Mr John Halliday and Mr Mark McGuicken, Public Legal Services Division, Department of Justice, joined the meeting at 3.44 p.m.

Mr McGuckin provided a brief update on progress on the implementation of the Access to Justice Review recommendations.

A question and answer session followed covering issues including: the proposed review of expert witnesses fees; the timescale for publication of the research report into the legal needs of children and young people; progress on the alternatives to money damages cases; the nature of the engagement with the Law Society and the Bar Council;

*3.56 p.m. Mr Alban Maginness left the meeting.*

an update on very high cost cases; the timescale for bringing forward new proposals in relation to crown court fees; the savings as a result of the changes to high cost cases; and the evaluation of the two pilot projects put in place to inform work on mixed models, alternative approaches to funding and partnerships with the advice and voluntary sectors.

*4.02 p.m. Mr Stewart Dickson left the meeting.*

*4.03 p.m. Mr Seán Lynch joined the meeting.*

*4.04 p.m. Mr Jim Wells left the meeting.*

The briefing was recorded by Hansard.

The Chairman thanked the officials and they left the meeting.

## **7. Update on the NI Prison Service Corporate Governance Arrangements**

The Committee noted an update from the Department of Justice on the Northern Ireland Prison Service Corporate Governance arrangements.

## **8. Prison Review Oversight Group Summary Report: March 2014**

The Committee noted a summary report from the Prison Review Oversight Group following its meeting on 12 March 2014.

## 9. Northern Ireland Judicial Appointments Ombudsman – Further Policy Change

The Committee noted the intention of the Department of Justice to make a policy change relating to the discretionary eligibility restrictions that currently apply to the Northern Ireland Judicial Appointment Ombudsman. The change would be reflected in the provisions being drafted for inclusion in the Northern Ireland Public Services Ombudsman Bill.

## 10. Update on the Committee Stage of the Legal Aid and Coroners' Courts Bill

The Committee noted that the Committee Stage of the Legal Aid and Coroners' Courts Bill had commenced on 9 April 2014, written evidence was being sought from the key stakeholders and an oral evidence event would be scheduled for 14 May 2014. The Committee also noted a copy of the Delegated Powers Memorandum provided by the Department of Justice.

*Agreed:* The Committee agreed to forward a copy of the Delegated Powers Memorandum to the Examiner of Statutory Rules for his views/comments.

*4.10 p.m. Mr Stewart Dickson joined the meeting.*

## 11. Correspondence

- i. The Committee noted correspondence from the Department of Justice providing an update on its proposal to amend the Lands Tribunal and Compensation Act (Northern Ireland) 1964 to remove the use of an affirmative resolution statutory rule to determine the salary of Members of the Lands Tribunal.
- ii. The Committee noted a response from the Department of Justice to the Committee's request for further information on the reduction in the number of young people being held in custody over the past number of years and an update on the development of services provided by the Rowan Sexual Assault Referral Centre.
- iii. The Committee noted a copy of a response from the Lord Chief Justice's Office to Mr and Mrs Shaw regarding civil proceedings over a shared right of way and the conduct of a Judge in relation to the case.
- iv. The Committee considered correspondence from the Law Centre (NI) asking the Committee to reconsider its decision to defer an oral briefing on the matter until such times as the proposals for reform are brought forward by the Department of Justice and outlining substantive issues for consideration.

*Agreed:* The Committee agreed to request further information from the Department of Justice on the rationale for not bringing forward the legislative proposals for tribunal reform during the current mandate and the issues raised.

- v. The Committee noted further correspondence from Randox provided additional information in relation to the nature of drug abuse in Northern Ireland Prisons and the procurement process for the provision of drug testing.

*4.12 p.m. Mr Alban Maginness joined the meeting.*

4.12 p.m. Mr Jim Wells joined the meeting.

*Agreed:* The Committee agreed to consider the issues raised by Radox when a response was received from the Minister of Justice on this matter.

- vi. The Committee noted the follow-up Review Report by the Criminal Justice Inspection Northern Ireland on the Handling of Complaints by the Criminal Justice System.
- vii. The Committee noted the follow-up Review Report by the Criminal Justice Inspection Northern Ireland on Prisoner Escort and Court Custody Arrangements in Northern Ireland.
- viii. The Committee considered correspondence from the Attorney General, the Rt Hon Dominic Grieve QC MP to the Committee's invitation to attend a meeting to discuss the On the Runs Administrative Scheme and Letters and noted his intention to await the outcome of the Hallett Review before considering the Committee's request and whether there would be anything further he could add.

*Agreed:* The Committee agreed that the legal advice it had sought in relation to the On the Runs Scheme should include this matter.

- ix. The Committee noted correspondence from the Department of Justice advising of its intention to bring forward Taxi Seizure Regulations for consideration in the near future.
- x. The Committee noted correspondence from the Department of Justice advising that it was commencing a three week consultation on revisions to PACE Codes of Practice C and H to facilitate the implementation of EU Directive 2012/13 on the right to information in criminal proceedings.

## **12. Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill - Approval of Committee Report**

The Committee considered the final draft report on the Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill.

### **Title Page, Committee Membership and Powers, Table of Contents and List of Abbreviations**

The Committee considered the Title page, Committee Membership and Powers, Table of Contents and List of Abbreviations.

“Question: That the Committee is content with the Title page, Committee Membership and Powers, Table of Contents and List of Abbreviations as drafted put and agreed to”.

### **Introduction**

The Committee considered the Introduction section of the report.

“Question: That the Committee is content with the Introduction (paragraphs 1 to 9) as drafted put and agreed to”.

### **Consideration of the Provisions of the Bill**

The Committee considered the Consideration of the Provisions of the Bill section of the report.

“Question: That the Committee is content with the Consideration of the Provisions of the Bill section of the report (paragraphs 10 to 441) as drafted put and agreed to”.

### **Consideration of Other Proposed Provisions for Inclusion in the Bill**

The Committee considered the Consideration of Other Proposed Provisions for Inclusion in the Bill section of the report.

“Question: That the Committee is content with the Consideration of Other Proposed Provisions for Inclusion in the Bill section of the report (paragraphs 442 to 456) as drafted put and agreed to”.

### **Clause by Clause consideration of the Bill**

The Committee considered the Clause by Clause consideration of the Bill section of the report.

“Question: That the Committee is content with the Clause by Clause consideration of the Bill section of the report (paragraphs 457 to 490) as drafted put and agreed to”.

### **Appendices**

The Committee considered the Appendices section of the report.

“Question: That the Committee is content with the contents of the Appendices to be included in the report put and agreed to”.

### **Executive Summary**

The Committee considered the draft Executive Summary of the report.

“Question: That the Committee is content with the Executive Summary as drafted put and agreed to”.

*Agreed:* The Committee agreed that it was content for the Chairman to approve the extract of the Minutes of Proceedings of today’s meeting for inclusion in Appendix 1 of the report.

*Agreed:* The Committee agreed to order the Report on the Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill (NIA 170/11-15) to be printed.

*Agreed:* The Committee agreed that an electronic copy of the Bill report should be sent to all organisations and individuals who provided evidence to the Committee on the Bill.

The Chairman thanked the Committee team, Hansard and all other Assembly staff who had assisted the Committee during its scrutiny of the Bill.

### **13. Chairman's Business**

- i. The Chairman advised Members that the Assembly Information Standards Officer had provided a copy of the information to be issued in response to a Freedom of Information request.

*Agreed:* The Committee agreed it was content for the information to be released.

- ii. The Chairman advised Members that an invitation had been received from the Director of Public Prosecutions to the formal launch of the Victims and Witness Care Unit on 8 May 2014.

*Agreed:* The Committee agreed that Members should advise the Clerk if they wished to attend.

### **14. Any Other Business**

None.

### **15. Date, Time and Place of next meeting**

The next meeting will take place on Wednesday 30 April 2014 at 2.00 p.m. in Room 21, Parliament Buildings.

*The meeting was adjourned at 4.24 p.m.*

**Mr Paul Givan MLA**  
**Chairman, Committee for Justice**