



COMMITTEE FOR JUSTICE

MINUTES OF PROCEEDINGS

THURSDAY 27 FEBRUARY 2014
Room 30, Parliament Buildings

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

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

Apologies: None

The meeting commenced at 2.01 p.m. in public session.

1. Apologies

None.

2. Draft minutes of the meeting held on 20 February 2014

The Committee approved the draft minutes of the meeting held on 20 February 2014.

3. Matters Arising

There were no matters arising.

4. Fines and Enforcement Bill

Mr Gareth Johnston, Deputy Director, Criminal Justice Policy and Legislation Division,
Ms Pamela Reid, Criminal Justice Development Division and Mr Tom Haire, Criminal

Justice Policy and Legislation Division, Department of Justice joined the meeting at 2.02 p.m.

2.12 p.m. Mr Alban Maginness joined the meeting.

2.14 p.m. Ms Rosaleen McCorley joined the meeting.

2.14 p.m. Mr Patsy McGlone joined the meeting.

2.18 p.m. Mr Raymond McCartney joined the meeting.

2.20 p.m. Mr Tom Elliott joined the meeting.

Mr Johnston outlined the proposed content of the Fines and Enforcement Bill and a proposed consultation on additional measures to tackle fine default.

A question and answer session followed covering issues including: how the Community Based Supervised Activity Order would be implemented as an alternative to custody for non-payment of fines and in particular whether it would be used for higher level fines; what the proposed new offence of possession of extreme pornography would cover; options for the payment of fines by instalments and the restrictions and controls to be applied to such measures; how the proposals to deduct from benefits would operate and the restrictions that would apply; the outcome and experiences learned from the site visits by officials to Scotland, England and the Republic of Ireland; the types of activities available under Supervised Activity Orders; and whether there is potential to provide an element of supervised activity for those held in custody.

The briefing was recorded by Hansard.

The Chairman thanked the officials and they left the meeting.

Agreed: The Committee noted the proposed content of the Fines and Enforcement Bill and agreed that it was content for the proposed consultation on additional measures to tackle fine default to take place and to consider the matter further when the results of the consultation are available.

5. Department of Justice Six Monthly Up-date on the Savings Delivery Plans and the Outcome of the January 2014 Monitoring Round

Mr Glyn Capper, Deputy Director of Finance and Ms Lisa Rocks and Ms Louise Blair, Financial Services Division, Department of Justice joined the meeting at 2.30 p.m.

Mr Capper outlined the current in-year budget position following the outcome of the January 2014 Monitoring Round and the position regarding the Savings Delivery Plans.

A question and answer session followed covering issues including: the current position regarding legal aid costs and how the legal aid pressure of £11.1 million identified in the 2014 January Monitoring Round would be met; the reliability of legal aid forecasting; the position regarding the funding required to complete the Northern Ireland Prison Service Exit Scheme; the long term savings to be realised from the exit scheme and when these will be delivered; pressures on the policing budget and its ability to meet them this financial year; the savings to be delivered from the legal aid reforms already made and when these will come through; the likely impact of budget pressures on the Office of the Police Ombudsman and the delivery of front line services including investigations and

what action the Department will take to mitigate the position; and whether the Department can provide a permanent funding solution for the Probation Service to protect front line services, particularly given the rise in its caseload.

The briefing was recorded by Hansard.

The Chairman thanked the officials and they left the meeting.

6. Proposed Revision to the European Small Claims Procedure – Amendment of Regulation (EC) No. 861/2007

The Committee noted correspondence from the Department of Justice advising of the Minister of Justice's support for the UK's proposed opt-in to changes to the European Small Claims Procedure but his preference for a more modest increase of up to €6000 in the threshold limit. The Department will keep the Committee advised of developments as negotiations continue.

7. Up-date on the Department of Justice Estate Strategy

The Committee noted a departmental update paper outlining the current position on the Department of Justice Estate Strategy and the work which will be taken forward as two separate projects focusing on Department of Justice headquarters accommodation and Department of Justice Service Delivery accommodation.

8. Review of the Code of Practice on the Appointment of Independent Members to Policing and Community Safety Partnerships and District Policing and Community Safety Partnerships

The Committee considered a revised draft Code of Practice on the appointment of independent members to the Policing and Community Safety Partnerships (PCSPs) and District Policing and Community Safety Partnerships (DPCSPs) and a draft consultation document provided by the Department of Justice.

Agreed: The Committee agreed that it was content for the proposed consultation on the revised draft Code of Practice on the appointment of independent members to the PCSPs and DPCSPs to take place and to consider the matter further when the results of the consultation are available.

9. Report on EU Work Undertaken in 2013

The Committee considered a draft response to the Committee for the Office of the First Minister and deputy First Minister setting out the work undertaken by the Committee for Justice on EU issues during 2013.

Agreed: The Committee agreed the response setting out the work undertaken by the Committee for Justice on EU issues during 2013 for submission to the Committee for the Office of the First Minister and deputy First Minister.

10. Correspondence

- i. The Committee noted a copy of a response from the Minister of Justice to Lisburn City Council regarding a resolution it passed on the impact of illegal drugs and seeking a review of the Misuse of Drugs Act 1971.

- ii. The Committee noted correspondence from the Committee for the Office of the First Minister and deputy First Minister providing a copy of a summary of the discussion which took place at the Joint Ministerial Council (Europe) meeting on 2 December 2013 attended by the OFMDFM Junior Ministers.
- iii. The Committee noted correspondence from the Committee for the Office of the First Minister and deputy First Minister providing a copy of the terms of reference for its Inquiry into the Barroso Task Force and seeking views/comments.

Agreed: The Committee agreed to refer the correspondence to the Department of Justice for comments on any justice related issues relevant to the Inquiry.
- iv. The Committee noted a copy of a letter from the Committee for Finance and Personnel to the Department of Justice regarding correspondence it had received from Randox Testing Services on the provision of drug testing in NI Prisons.
- v. The Committee noted a copy of a response from the PSNI to a Mr Boland regarding his complaint about the alleged abuse of powers in relation to the use of speed cameras.
- vi. The Committee noted additional correspondence from a Mr McHugh regarding alleged maladministration by the Northern Ireland Court Service and inaction by the Department of Justice.

Agreed: The Committee agreed to forward Mr McHugh's correspondence to the Department of Justice, the NI Courts and Tribunals Service and the Office of the Lord Chief Justice and request that they respond directly on the issues raised.
- vii. The Committee noted a copy of a submission from a former sex worker to the Republic of Ireland's consultation on prostitution legislation.
- viii. The Committee noted an invitation from NIACRO to a Justice Series seminar on '*Children Affected by Parental Imprisonment: Needs, Solutions and Rights – the evidence from across Europe*' on 4 March 2014 in Parliament Buildings.

Agreed: The Committee agreed that Members should advise the Clerk if they wished to attend the seminar.
- ix. The Committee noted a summary of progress on the delivery of Department of Justice capital projects detailed in the ISNI Delivery Tracking System.
- x. The Committee noted correspondence from the Department of Justice advising that, following scrutiny by the Assembly Examiner of Statutory Rules, it had to make necessary technical amendments to the Explosives (Hazard Information and Packaging for Supply) (Amendment) Regulations (Northern Ireland) 2014 which were made on 7 February 2014 by providing a new set of regulations. The new Rule will be laid on 28 February 2014 and come into operation on the same date.

11. Chairman's Business

The Chairman advised the Committee that he and other Members held an informal meeting with representatives from Randox Testing Services on Monday 24 February to discuss the nature of drug abuse in NI Prisons and the procurement process for the

provision of drug testing. The discussions centred on the rationale for tendering jointly with the Scottish Prison Service, the impact on local firms and the process for any future tenders.

Agreed: The Committee agreed to ask the Minister of Justice to provide the justification for joint procurement with the Scottish Prison Service in tendering provision for drug testing within Northern Ireland prisons and the reasons why the NI Prison Service was not tendering locally for drug testing.

12. Any Other Business

Mr Patsy McGlone MLA advised the Committee that the lack of progress in relation to the development of a firearms banded system was raised at a recent meeting of the All Party Group on Country Sports and the Group intended to write to the Committee for Justice on the matter.

Agreed: The Committee agreed that this issue did not appear to have progressed and it would consider requesting the attendance of departmental officials to discuss the matter upon receipt of the letter.

13. Date, Time and Place of next meeting

The next meeting will take place on Thursday 6 March 2014 at 2.00 p.m. in Room 30, Parliament Buildings.

The meeting was adjourned at 3.09 p.m.

Mr Paul Givan MLA
Chairman, Committee for Justice