



**Northern Ireland  
Assembly**

**COMMITTEE FOR JUSTICE**

**MINUTES OF PROCEEDINGS**

WEDNESDAY 1 OCTOBER 2014  
Room 21, 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  
Ms Rosaleen McCorley MLA  
Mr Patsy McGlone MLA  
Mr Alban Maginness MLA

In Attendance: Mrs Christine Darragh (Assembly Clerk)  
Mr Keith McBride (Senior Assistant Clerk)  
Mrs Roisin Donnelly (Assistant Assembly Clerk)  
Miss Leanne Johnston (Clerical Supervisor)  
Miss Marianne Doherty (Clerical Officer)

Apologies: Mr Jim Wells MLA

*The meeting commenced at 3.23 p.m. in public session.*

*The Chairman thanked Mr Sydney Anderson, Mr William Humphrey and Ms Rosaleen McCorley for their contribution to the work of the Justice Committee as this would be their last meeting before committee membership changes take place.*

**1. Apologies**

As above.

**2. Draft minutes of the meeting held on 24 September 2014**

The Committee approved the draft minutes of the meeting held on 24 September 2014.

### 3. Matters Arising

- i. The Chairman advised the Committee that the Clerk would prepare a paper reflecting the issues discussed at the earlier Legislative Scrutiny Workshop with Daniel Greenberg to assist the scrutiny of the Justice Bill.
- ii. The Committee considered a Forward Work Programme for October and November 2014.

*Agreed:* The Committee agreed that Members would advise the Clerk if they had specific Agenda items they wished to discuss with the Chief Constable at the meeting on 8 October 2014.

*Agreed:* The Committee agreed that it was content with a written briefing paper from the Department of Justice on a further proposed consultation on changes to Legal Aid Remuneration.

*Agreed:* The Committee agreed that the update briefing by Department of Justice officials on the firearms proposals, and other firearms issues should be scheduled for the meeting on 3 December 2014.

### 4. Proposals to Introduce Statutory Time Limits in the Youth Court – Committee Consideration of Outcome of Consultation and Proposed Way Forward

The Committee noted correspondence from NIACRO providing a copy of the submission it made jointly with Victim Support NI to the Department of Justice consultation on Statutory Time Limits in Youth Courts and outlining a number of concerns that, in its view, the Department had not addressed and which required further exploration.

The Committee gave further consideration to the Minister of Justice's proposal to introduce Statutory Time Limits in the Youth Court and the phased approach he intended to adopt.

*Agreed:* The Committee agreed to write to the Minister of Justice highlighting that the Committee was unable to reach a consensus on the proposals he intends to take forward with a number of Members outlining a range of issues and noting that Regulations would be required to make any changes.

### 5. Reducing Offending Strategic Framework – Progress Report

The Committee noted a report from the Department of Justice setting out the progress made in the first year since the publication of the Strategic Framework for Reducing Offending.

### 6. Update on UK's Opt-out of pre-Lisbon Police and Criminal Justice Measures

The Committee noted an update from the Department of Justice regarding the UK's Opt-out of pre-Lisbon Police and Criminal Justice Measures, the current position in relation to re-joining 35 of the 130 measures including the European Arrest Warrant and the requirement for some legislative changes to ensure compliance with the EU Directive.

**7. Update on implementation of Reform to Terms and Conditions for Police Officers in the Police Service of Northern Ireland**

The Committee noted an update from the Department of Justice on the implementation of the reforms to the terms and conditions for police officers in the Police Service of Northern Ireland.

*Mr William Humphrey left the meeting at 3.30 p.m.*

*Ms Rosaleen McCorley left the meeting at 3.32 p.m.*

**8. Update on the Department of Justice In-Year Financial Position and Outcome of June Monitoring Round**

The Minister of Justice, Mr David Ford MLA, Mr Nick Perry, Permanent Secretary, and Mr Glynn Capper, Deputy Director of Finance, Department of Justice joined the meeting at 3.33 p.m.

The Committee noted a briefing paper from the Committee on the Administration of Justice outlining its concerns regarding the impact of the proposed cuts to the budget of the Office of the Police Ombudsman.

*Mr Alban Maginness left the meeting at 3.44 p.m.*

The Minister of Justice outlined the Department of Justice in-year financial position, range of pressures, level of cuts and consequential impacts.

A detailed question and answer session followed covering issues including: the scale of the cuts; and the impacts on public safety and public confidence; whether the Minister was prepared to preside over the cuts given the impact he had outlined; whether the June Monitoring cuts of £47.3 million represented the most up-to-date financial position or whether further cuts are anticipated; the impact on the NI Prison Service; whether the staffing ratios to prisoner population in HM Prison Maghaberry were acceptable on safety grounds; whether there would be recruitment of staff to the NI Prison Service to alleviate the staffing pressures that currently exist; the rate of new recruits leaving the NI Prison Service; how legal aid payments will be affected during this financial year; the need for greater transparency in relation to the PSNI budget; whether there is flexibility in relation to the £27 million ring-fenced for security related matters; the End Year Flexibility process; decisions that need to be taken now in relation to the 2015/16 budget; the impact on the investigation of historical crimes and legacy related issues and the duty on the State; the decision making process followed when applying the cuts; who has responsibility for 'signing off' the cuts; whether an impact assessment in relation to each organisation has been carried out; whether the budget cuts relating to the Office of the Police Ombudsman would have an impact on public confidence; the scale of the impact of the cuts on the Office of the Police Ombudsman; how legacy related investigations should be funded and what representations the Minister has made on this issue; funding for the Community Safety College at Desertcreat; whether the policy to move police officers out of back office jobs will now be reversed if civilian support staff jobs are reduced; whether the Minister's budgetary decisions should be taken to the Executive on the basis of controversial decisions; the authority of Departmental Permanent Secretaries to take decisions in relation to budgetary matters; the impact of the cuts on the Probation Board including the monitoring of offenders; the impact of the cuts on the Youth Justice Agency; whether a more rigorous examination of NDPB's spend should be undertaken; and the current position regarding the ring-fencing of the DoJ budget.

The briefing was recorded by Hansard.

The Chairman thanked the Minister and his officials for their attendance and they left the meeting.

*The Chairman left the meeting at 4.50 p.m. and the Deputy Chairman took the chair.*

*Mr Sean Lynch left the meeting at 4.52 p.m.*

## 9. Correspondence

- i. The Committee noted correspondence from the Department of Justice advising that its analysis of responses to the Public Consultation on the Draft Mental Capacity Bill would be completed in November 2014 and the intention is to introduce the Bill in early 2015 to enable enactment by March 2016.
- ii. The Committee noted correspondence from the Department of Justice advising that it did not consider it necessary to make a submission to the House of Lords Call for Evidence into the application of the UK's opt-in policy to international agreements given it is not closely involved in such negotiations.
- iii. The Committee noted correspondence from the Department of Justice outlining the Minister of Justice's decision to close the Northern Ireland Law Commission from 1 April 2015 due to budget pressures.
- iv. The Committee noted correspondence from the Department of Justice providing information requested by the Committee on the number of female independent members of PCSPs and DPCSPs and the rates of attendance at PCSP meetings by representatives of the designated statutory bodies.
- v. The Committee noted correspondence from the Department of Justice advising of the launch of the Public Appointment Competition for Independent Appeal Panel Chair and Members to consider and adjudicate on appeals against decisions taken by the Legal Services Agency on the granting of Civil Legal Aid.
- vi. The Committee noted an invitation from the Department of Justice to an anti-trafficking event it is hosting with the Law Centre (NI) to mark a visit by the EU Anti-trafficking Coordinator, Myria Vassiliadou's visit to Northern Ireland on 8 October 2014.

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

- vii. The Committee considered correspondence from the Gun Trade Guild NI regarding the lack of accountability of PSNI Firearms and Explosives Branch staff.

*Agreed:* The Committee agreed to forward a copy of the correspondence to the Minister of Justice for a response to the issues raised.

- viii. The Committee considered correspondence from the Northern Ireland Firearms Dealers Association regarding the lack of accountability of PSNI Firearms and Explosives Branch staff.

*Agreed:* The Committee agreed to forward a copy of the correspondence to the Minister of Justice for a response to the issues raised.

- ix. The Committee noted correspondence from Barnardo's highlighting the recent publication of national research into the sexual exploitation of boys and young men carried out by the National Centre for Social Research and University College London.
- x. The Committee noted the Criminal Justice Inspection Northern Ireland Report '*The Office of the Police Ombudsman for Northern Ireland – A Process Verification Assessment*'.

**10. Chairman's Business**

None.

**11. Any Other Business**

None.

**12. Date and Time of next meeting**

The next meeting will take place on Wednesday 8 October 2014 at 2.00 p.m. in Room 21, Parliament Buildings.

*The meeting was adjourned at 4.57 p.m.*

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