



COMMITTEE FOR JUSTICE

MINUTES OF PROCEEDINGS

WEDNESDAY 18 MARCH 2015
Royal Courts of Justice, Belfast

- Present: Mr Alastair Ross MLA (Chairman)
Mr Sammy Douglas MLA
Mr Tom Elliott MLA
Mr Paul Frew MLA
Mr Seán Lynch MLA
Mr Alban Maginness MLA
Mr Patsy McGlone MLA
Mr Edwin Poots MLA
- In Attendance: Mrs Christine Darrah (Assembly Clerk)
Mr Keith McBride (Senior Assistant Assembly Clerk)
Mrs Roisin Donnelly (Assistant Assembly Clerk)
Ms Leanne Johnston (Clerical Supervisor)
- Apologies: Mr Raymond McCartney MLA (Deputy Chairman)
Mr Stewart Dickson MLA
Mr Chris Hazzard MLA

The meeting commenced at 2.05 p.m. in public session.

The Chairman, on behalf of the Committee for Justice, thanked the Bar Council for hosting the Justice Committee meeting and for the opportunity to meet with representatives of the Young Bar Association prior to the meeting.

1. Apologies

As above.

2. Draft minutes of the meetings held on 10 March 2015 and 11 March 2015

The Committee approved the draft minutes of the meetings held on 10 March 2015 and 11 March 2015.

3. Matters Arising

There were no Matters Arising.

4. Proposals to Rationalise the Courts Estate – oral evidence from the Lord Chief Justice

The Lord Chief Justice, Sir Declan Morgan QC, joined the meeting at 2.07 p.m.

The Lord Chief Justice outlined his views on the Department of Justice's proposals to rationalise the courts estate.

A detailed question and answer session followed covering issues including: the engagement between the Department of Justice and the judiciary in relation to the proposals to rationalise the courts estate; consideration of alternative models of organising court business and the optimum number of courts required for this jurisdiction; best use of existing court estate facilities and consideration of weekend and evening courts; views on innovative approaches to managing court business including initiatives such as the digitisation of some court proceedings; whether the proposals would impact on the Department's statutory obligation to provide access to justice; the drivers for the rationalisation proposals; the capacity of Omagh Court and Laganside Court; the issues and impact of increasing the number of cases being heard in fewer court buildings; examples of pilot programmes within the courts to speed up justice; delays in youth justice cases; lack of consultation space for lawyers and clients in courthouses with resultant delays; what other proposals to reduce costs have been considered; the importance of the location of courts in local communities and visible justice; the pressures faced by the Coroners' Courts and how this might increase as a result of the rationalisation proposals; capacity to deal with historical inquests; the closure of Bedford House Hearing Centre and the disadvantages of holding tribunals in courthouses; consideration of the co-location of court services with other public sector service providers; the timing of court hearings and flexibility to schedule court business to accommodate court users; the likely effect of closures on the backlog of cases and delay; whether there should be one courthouse in each council area; and whether courthouses could be used by agencies and organisations.

The briefing was recorded by Hansard.

The Chairman thanked the Lord Chief Justice for his attendance and he left the meeting.

3.10 p.m. Mr Seán Lynch left the meeting.

3.10 p.m. Mr Patsy McGlone left the meeting.

5. Proposals to Rationalise the Courts Estate – oral evidence from the Northern Ireland Courts and Tribunals Service

Mr Ronnie Armour, Chief Executive and Mr Peter Luney, Head of Court Operations, Northern Ireland Courts and Tribunals Service joined the meeting at 3.11 p.m.

Mr Armour outlined the context to and proposals for the rationalisation of the courts estate.

3.24 p.m. Mr Patsy McGlone rejoined the meeting.

3.31 p.m. Mr Sammy Douglas joined the meeting.

A detailed question and answer session followed covering issues including: whether remaining court houses will need to be upgraded due to an increase in the volume of cases they will manage and how much capital investment will be needed; how much the reopening and upgrade of the Old Town Hall building in Belfast will cost; consideration of innovative ways of working such as the digitisation of court proceedings and weekend and evening court sittings; the early responses received to the Department's consultation on the proposed closures; whether court buildings could be used to facilitate other public sector business; consideration of courts sharing facilities with other public sector organisations; what consideration had been given to ensuring that a courthouse is located in each Council area; whether the courthouses that remain are fit for purpose both now and in the future; whether the proposals would result in the Department not meeting its statutory obligations in relation to access to justice; how people travel to court; previous intentions for new court buildings in Newtownards, Bangor and Lisburn; the number of cases dealt with by the Courts in Lisburn and Newtownards and the capacity of Laganside to accommodate the additional business; how in the absence of an estimation of costs in relation to the reopening of the Old Town Hall building an accurate estimation of cost savings can be made; potential savings by the Northern Ireland Prison Service in transporting prisoners; whether the proposals will increase costs in the longer-term for other parts of the system; how the Department reached its decision in relation to which courthouses should close; whether the closure of courthouses is an easy option; and the management of court listings and difficulties that need addressed.

The officials agreed to provide further information requested by Members in relation its proposals to rationalise the Courts Estate.

The briefing was recorded by Hansard.

The Chairman thanked Mr Luney for his attendance and he left the meeting.

The meeting was suspended at 4.08 p.m.

The meeting resumed at 4.14 p.m.

*Present: Mr Alastair Ross MLA (Chairman)
Mr Tom Elliott MLA
Mr Paul Frew MLA
Mr Alban Maginness MLA
Mr Edwin Poots MLA*

6. SL1: The Lands Tribunal for Northern Ireland - Tribunal Fees for Non-Domestic Rating Appeals

Mr Ronnie Armour, Chief Executive, was joined by Ms Sharon Hetherington, Head of Finance and Estates and Ms Mandy Morrison, Acting Head of Tribunals and Enforcement Division, Northern Ireland Courts and Tribunals Service at 4.16 p.m.

4.18 p.m. Mr Patsy McGlone rejoined the meeting.

4.18 p.m. Mr Sammy Douglas rejoined the meeting.

Mr Armour outlined proposals for a Statutory Rule to increase the fees charged in the Lands Tribunal for Northern Ireland for non-domestic rating valuation appeals and for all admin services.

A question and answer session followed covering issues including: the expected increase in running costs and the reasons for the increase; the costs of running a case; how the proposals impact on small businesses; how many properties would fall within the most

expensive fee band and within the least expensive fee band; the number of appeals in the last 4 years; the number of successful appeals and what fee band they fall into; whether the proposals will achieve full cost recovery; and the timescale for review of the new rating appeal fees and why the review had not taken place earlier.

The officials agreed to provide the further information regarding the number of successful appeals and what fee band they would have been in.

The briefing was recorded by Hansard.

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

7. SR 2015/113: The Police Pensions Regulations (Northern Ireland) 2015

The Committee considered Statutory Rule 2015/113 The Police Pensions Regulations (Northern Ireland) 2015 which provides for the introduction of a new Career Average Revalued Earnings pension scheme for members of the PSNI and PSNI Reserve.

A number of Members expressed concerns and reservations regarding the proposed scheme.

Agreed: The Committee agreed to seek a commitment from the Department of Justice to provide figures regarding percentage reductions in actuarial deductions, the cost and how such changes could be made.

Question: “That the Committee for Justice considered Statutory Rule No 2015/113: The Police Pensions Regulations (Northern Ireland) 2015 and has no objection to the Rule.”

The Committee divided: Ayes 5; Noes 2;

AYES

Mr Sammy Douglas
Mr Tom Elliott
Mr Paul Frew
Mr Edwin Poots
Mr Alastair Ross

NOES

Mr Alban Maginness
Mr Patsy McGlone

Agreed: The Committee for Justice considered Statutory Rule 2015/113 The Police Pensions Regulations (Northern Ireland) 2015 and had no objection to the Rule.

8. Introduction of a Statutory Registration Scheme for all providers of publicly funded Legal Services in Northern Ireland – Results of the Consultation and Proposed Way Forward

The Committee considered a written briefing paper from the Department of Justice on the results of the consultation on the introduction of a Statutory Registration Scheme for all providers of publicly funded legal services and the draft post consultation report.

Agreed: The Committee agreed that an oral briefing by departmental officials on the results of the consultation on the introduction of a Statutory Registration Scheme for all providers of publicly funded legal services and the proposed way forward should be scheduled into the Forward Work Programme.

9. Outcome of Review of Alternative Approaches to Public Funding for Legal Services

The Committee considered information provided by the Department of Justice on the outcome of a Review of Alternative Approaches to Public Funding for Legal Aid.

Agreed: The Committee agreed that it was content with the approach of the Minister of Justice regarding funding provided to the Law Centre and Housing Rights Service.

10. Correspondence

- i. The Committee noted correspondence from the Department of Justice providing further information in relation to funding for Voluntary Search and Rescue organisations operating in Northern Ireland.
- ii. The Committee noted a copy of correspondence from the Department of Justice to BASC regarding a Newtownards Policing and Community Safety Partnership Farm Safety event.
- iii. The Committee noted correspondence from the Department of Justice providing copies of Commencement Orders in respect of two powers contained in the Criminal Evidence (Northern Ireland) Order 1999 and the Justice Act (Northern Ireland) 2011 to give effect to the extended scope of the 12-month “Phase II” pilot regarding registered intermediaries.
- iv. The Committee noted correspondence from the Committee for Finance and Personnel providing information it had received from the Department of Finance and Personnel regarding the Northern Ireland Civil Service Voluntary Exit Scheme which launched on 2 March 2015
- v. The Committee noted the Department of Finance and Personnel Memorandum on the Twenty Sixth Report from the Public Accounts Committee on the NI Courts and Tribunals Service Trust Statement for the year ended 31 March 2013.
- vi. The Committee noted correspondence from the Probation Board for Northern Ireland providing further information requested during the oral evidence session on 25 February 2015.
- vii. The Committee considered correspondence from a Mr and Mrs McLaughlin in relation to a complaint made to the Lord Chief Justice regarding the conduct of a Judge and a criminal case involving a vulnerable adult.

Agreed: The Committee agreed to forward the correspondence to the Office of the Lord Chief Justice and ask that it respond directly to Mr and Mrs McLaughlin on the issues raised.

- viii. The Committee considered correspondence from the Association of Personal Injury Lawyers regarding the current level of bereavement damages in Northern Ireland.

Agreed: The Committee agreed to forward the correspondence to the Department of Justice and request information on the current position, why the level of damages in Northern Ireland have not increased in line with England and Wales and what action will be taken to address the matter.

11. Chairman's Business

The Chairman informed Members that correspondence had been received from Fermanagh District Council expressing its opposition to the proposed closure of Enniskillen Courthouse and requesting an opportunity to meet with the Committee to discuss the matter. A similar request had been received from Lisburn Council and the Chairman was aware that at least one other Council intended to write with a similar request.

Agreed: The Committee agreed to invite all the Councils in whose area there are proposed courthouse closures to attend an informal public hearing in the Senate Chamber, Parliament Buildings at which they will have the opportunity to outline their views and Members can ask questions/explore the issues.

12. Any Other Business

None.

13. Date and Time of next meeting

The next meeting will take place on Wednesday 25 March 2015 at 2.00 p.m. in Room 21 Parliament Buildings.

The meeting was adjourned at 4.50 p.m.

Mr Alastair Ross MLA
Chairman, Committee for Justice