



Northern Ireland  
Assembly

Committee for Justice

# OFFICIAL REPORT (Hansard)

Police Ombudsman for Northern Ireland:  
Consultation Responses

11 October 2012

# NORTHERN IRELAND ASSEMBLY

## Committee for Justice

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**Members present for all or part of the proceedings:**

Mr Paul Givan (Chairperson)  
Mr Raymond McCartney (Deputy Chairperson)  
Mr Stewart Dickson  
Mr Alex Easton  
Mr Tom Elliott  
Mr William Humphrey  
Mr Seán Lynch  
Mr Alban Maginness  
Ms Rosaleen McCorley  
Mr Patsy McGlone

**Witnesses:**

Mr Peter May	Department of Justice
Ms Mandy Morrison	Department of Justice

**The Chairperson:** I welcome Peter May and Mandy Morrison from the Department of Justice's safer communities directorate. This session will be recorded by Hansard and published in due course. Mr May, I hand over to you, and I am sure that members may have some questions for you.

**Mr Peter May (Department of Justice):** Thank you, Mr Chairman. I am grateful to the Committee for its forbearance in taking us out of the scheduled order. I do not intend to make lengthy opening remarks because I hope the paper we provided is relatively self-explanatory.

We welcome the opportunity to brief the Committee on the outcome of the consultation responses received on the consultation paper 'Future Operation of the Office of the Police Ombudsman for Northern Ireland' and the 26 recommendations that emerged from the 2011 Police Ombudsman's statutory review report. The 12-week consultation was launched on 14 March and ended on 8 June. A few respondents sought additional time, which explains why it has taken longer than normal to produce the outcome report. In total, 21 responses were received, and there is a table in the paper that shows the respondents.

We sought to summarise the responses received against each of the questions asked, and to set out, as clearly as possible, the level of consensus reached about each recommendation. However, the Minister recognises that a number of those issues attract strong feelings. Therefore, while there is a presumption that the 21 responses received covered the full range of opinions, the Minister will want to test particularly those areas that require legislative change with the various political parties in the Assembly. With that in mind, he will be writing shortly to parties, inviting them to nominate representatives to engage with him on those areas where legislative change is proposed in order to

test what areas might be covered in future legislation. At this stage, I think that it is clear that the proposals will not be ready in time to be included in the proposed faster, fairer justice Bill, which will come to the Assembly in the new year.

In parallel with the Minister writing to party leaders, we will also seek the views of the incoming ombudsman, Michael Maguire, on the proposals, with a particular focus on the proposals that emerged from his predecessor's five-year review. That reflects the fact that, where changes would affect the ombudsman, it is important to understand his views.

Once the Minister has received the views of the incoming ombudsman and the political parties in the Assembly, he will consider what proposals to bring to the Committee. He has agreed that, at that point, he will make himself available to the Committee to discuss his proposals. At this stage, we envisage that his proposals will be set out during the first half of 2013. We are happy to try to answer any questions the Committee might have.

**The Chairperson:** I have no particular questions. There is a long road to be travelled in trying to reach consensus. I think that the responses indicate that, and there is a considerable divergence of views about how the office should run. I think that any legislative changes are going to present particularly very big challenges. Nevertheless, from my party's perspective, we are willing to engage in that discussion and see where it leads.

**Mr McCartney:** I have a number of observations. This is, if you like, a technical question. Will the submissions made to the consultation be publicly available on your website, or are they considered to be private documents?

**Ms Mandy Morrison (Department of Justice):** They will be made available on request, which is just because of the practicalities around having access to them all the time. If somebody requests them, that is made is clear. The summary response report will also be sent to all those who responded to the consultation.

**Mr May:** I think that we will anonymise the member of the public.

**Mr McCartney:** The responses will inform people as they take this forward.

I know that there were stakeholder events on the consultation process. How were the stakeholders selected? Was it a closed list or an open invitation?

**Ms Morrison:** Everybody was invited. Based on the number of respondents and the geographical spread, it was determined that it was appropriate to hold one event in Belfast. We held that and the views of the respondents were factored into the summary response report. We wrote to everybody after the seminar to invite comment on the papers, make sure that we obtained as many views as possible and remind people of the closing date. We also extended the closing date so that any further views could be made if people did not have an opportunity to meet the deadline.

**Mr McCartney:** Excellent. In relation to the relationship between the consultation document and the five-year review, both were part of the —

**Mr May:** They were published at the same time in March. You will recall that the Minister's paper was promised last September when we had the discussion about the report on the ombudsman by Criminal Justice Inspection Northern Ireland's (CIJNI). The five-year review was received after that and was added to the paper. It was dealt with as one piece, so that everyone could see all that was being said at one time.

**Mr McCartney:** The Committee on the Administration of Justice (CAJ) furnished the Committee with a copy of its report.

Is there a view that the Minister has not decided whether to take the recommendations forward?

**Mr May:** As the Chairman indicated, there are some areas in which there is more consensus than others. I think that the Minister's preference would be to try to develop a package of proposals to bring forward in one piece of legislation. He obviously needs to test where there would be sufficient consensus to enable him to do that.

**Mr McCartney:** Did the set of recommendations reflect the questions, or were the questions additional to the second document?

**Mr May:** There were a set of questions in the first document, and people responded directly to the 26 recommendations that were received from the ombudsman in the second part of the document. There were no separate questions in the second half of the document; it was merely the proposals.

**Mr McCartney:** I think that you said in your opening remarks that it is the Minister's intention to conclude the consultation process by inviting the parties to respond. Will that be done separately?

**Mr May:** I think that, in the first instance, that will probably be done separately. He also wants to give Michael Maguire time to give his input. As he is relatively new in post, we have agreed a process by which, before the end of this calendar year, he will come back to us with any observations he has, particularly on the 26 recommendations his predecessor made.

**Mr McCartney:** As the Chair said, this is a discussion that we all need to have and be part of.

**The Chairperson:** For the benefit of members: the Committee has all the responses. If members want those, they can get them from Committee staff.

**Mr McCartney:** Thank you very much.

**The Chairperson:** As there are no other comments from members, I thank you both very much.

**Mr May:** Thank you.