



TITHE AN OIREACHTAIS

AN COMHCHOISTE UM DHLÍ AGUS CEART

Clár Oibre

Eanáir 2023

HOUSES OF THE OIREACHTAS

JOINT COMMITTEE ON JUSTICE

Work Programme

January 2023

Joint Committee on Justice

Work Programme 2023

1 Introduction

The Joint Committee on Justice was established following Orders of Dáil Éireann and of Seanad Éireann on 30 July 2020 and 18 September 2020 respectively. Standing Orders 100(4) (Dáil Éireann) and 77(4) (Seanad Éireann) require that “as soon as may be following its appointment and thereafter at annual intervals, each Select Committee shall prepare a work programme and shall lay such programme before Dáil/Seanad Éireann”.

This Work Programme of the Joint Committee on Justice for January 2023 – December 2023 was agreed by the Joint Committee at its meeting on 18th January 2023. In accordance with the Standing Orders of Dáil Éireann and Seanad Éireann, it was agreed that the Work Programme be laid before both Houses of the Oireachtas.

2 Select Committee

The Dáil Select Committee on Justice was established by Order of Dáil Éireann on 30 July 2020.

The function of the Select Committee is to consider -

- (a) Bills,
- (b) Proposals contained in any motion, including any motion within the meaning of Standing Order 220,
- (c) Estimates for Public Services,
- (d) Other matters as shall be referred to the Select Committee by the Dáil,
- (e) Annual Output Statements, and
- (f) Such Value for Money and Policy Reviews as the Select Committee may select relating to the relevant Department.

Pre-Legislative Scrutiny

In accordance with Standing Order 174A(1), prior to its presentation or introduction to the Dáil, the general scheme or draft heads of a Bill shall be given by a member of the Government or Minister of State to the Committee empowered under Standing Order 95 to consider Bills published by the member of the Government: Provided that the Business Committee may waive this requirement, in accordance with Standing Order 30, on foot of a request by the member of Government or Minister of State.

Legislation

The Government Legislative Programme for Autumn 2022 identifies the Bills relevant to the Department of Justice, as follows:

Bills in respect of which Heads have been agreed and/or texts are being drafted:

- Criminal Justice (Sexual Offences and Human Trafficking) Bill 2022;
- Inspection of Places of Detention Bill 2022; and
- Sale of Alcohol Bill 2022.

Five Private Members' Bill have also been referred to the Committee:

- Regulation of Private Security Firms Bill 2019;
- Proceeds of Crime (Investment in Disadvantaged Communities) (Amendment) Bill 2021;
- Civil Liability and Courts (Amendment) Bill 2021;
- Firearms and Offensive Weapons (Amendment) Bill 2021; and
- Coercion of a Minor (Misuse of Drugs Amendment) Bill 2022.

Estimates and other Financial Matters

The Estimates for Public Services are Ministers' spending plans for the coming financial year. When the Estimates are referred to Select Committees for examination, the Committee has a valuable opportunity to question the relevant Minister about proposed spending. Note: the Select Committee is required to consider the Estimates but are not empowered to amend them.

The Estimates with which the Select Committee must deal in 2023 are the Revised Estimates for Public Services (Garda Síochána – Vote 20, Prisons – Vote 21, Courts Service – Vote 22, Justice – Vote 24, Policing Authority – Vote 41, Data Protection Commission – Vote 44).

Supplementary Estimates may also be considered in December if additional monies are required by the relevant Government Department.

It is the Committee's intention to focus on –

- what the Department has committed to achieving,
- how monies are allocated between services, and
- exploring the policy issues underpinning the various spending provisions as well as to consider these matters as fully as possible.

The proposed approach presents Departmental Estimates on a Strategic Programme basis consistent with the Statements of Strategy. These Estimates have been supplemented with certain performance information regarding the outputs and impacts of Programme expenditure.

In keeping with a whole of year approach, it is the Committee's intention to have an exchange of views with the Minister for Justice in advance of Budget 2024 on the emerging position for 2025.

In addition, the examination of Value for Money (VFM) Reviews is another important part of scrutinising Government expenditure.

Referrals of Motions and Other Matters

From time to time, matters may arise and may be referred to the Select Committee by the Dáil. It is not possible to say in advance what those matters might be or when they might arise.

3 Joint Committee

The duties of the Joint Committee are discharged in two ways, i.e.

1. items of business referred to it by one or both Houses, and
2. it can select business for consideration itself, from the areas within its terms of reference. In practice, the Joint Committee's work will comprise the examination of EU business and key policy priorities.

Engagement on EU Matters

The Joint Committee shadows the Department of Justice and the remit of this Department, in the European context, forms the basis of the Joint Committee's remit in terms of scrutiny of European matters. In fulfilling its role in examining EU business, the Joint Committee engages in the following activities:

- (i) Scrutiny of EU Legislative Proposals and Non-Legislative Proposals;
- (ii) Engagement with Ministers in advance of EU Council meetings;
- (iii) Engagement on the Statutory Departmental Scrutiny Report with the Secretary General of the Department;
- (iv) Attendance at the Inter-Parliamentary Meeting of EU Parliamentary Committee Chairpersons;
- (v) Engagement with European Bodies such as the EU Commission and the EU Parliament and its Committees.

Key policy priorities

The Joint Committee is empowered to consider such other policy issues as it may select within its terms of reference. In the period January 2023 to December 2023, in addition to core business such as legislation etc., it should be possible to focus on a number of major topics within the remit of the Department.

The following are some of the key themes under which specific policy issues can be identified by the Joint Committee for examination:

Theme	Meeting will address following topics
Courts policy and/or legal services	<ul style="list-style-type: none">- Reform of Civil procedures- Reform of Criminal Procedures- Conveyancing
	<ul style="list-style-type: none">- Sentencing
	<ul style="list-style-type: none">- Review of Legal Aid system [Criminal and Civil]
	<ul style="list-style-type: none">- Legal Services Regulatory Authority
Crime, law enforcement and law reform	<ul style="list-style-type: none">- Cybercrime<ul style="list-style-type: none">o On-line scamso Telephone scamso Phishing etc.o Review of Spyware and related matters

	<ul style="list-style-type: none"> - Adult Cautions
	<ul style="list-style-type: none"> - Defamation legislation (review)
	<ul style="list-style-type: none"> - Review of Operation of Official Secrets Act
Garda and policing	<ul style="list-style-type: none"> - Policing allocation of resources
	<p>Alternatives to Prison/Criminalisation</p> <ul style="list-style-type: none"> - Garda diversion programme (links with Tusla, DPP)
	<ul style="list-style-type: none"> - Review of the ongoing reform of the oversight of an Garda Síochána
	<ul style="list-style-type: none"> - Community-based policing
	<ul style="list-style-type: none"> - Training for Gardaí and Prison Officers
	<ul style="list-style-type: none"> - Review of safety on public transport
	<ul style="list-style-type: none"> - Operation of the Garda Reserve
Immigration and Asylum	<ul style="list-style-type: none"> - Immigration - Asylum procedures - Review of International Protection Act 2015 - Review of processing and decision making in respect of citizenship, naturalisation and visa applications
Prisons and probation	<ul style="list-style-type: none"> - Review of the Probation System - Availability of technology in Irish prisons
Youth Justice	<ul style="list-style-type: none"> - Review of the Youth Justice Strategy
Family Law and related matters	<p>The following sub-themes were agreed:</p> <ul style="list-style-type: none"> - Mediation - Support services - Enforcement of Court Orders relating to Child maintenance - Access [<i>resumed</i>]
Review of Historical events	<ul style="list-style-type: none"> - Review of historical abuses of power by the police and courts and how these can be resolved
The justice sector response in areas of disadvantage and poverty	<ul style="list-style-type: none"> - Examination of the perceived prevalence of criminal activity in disadvantaged areas, the link between this behaviour and poverty, the impact of the State's response on the wider community; - "Are our streets safe?" Examination of anti-social behaviour, street crime, public order, incidents involving Gardaí and

	incidents on public transport. Consideration of crime statistics, types of crime, any patterns emerging, evidence from rank and file Gardaí, transport workers and representative organisations as well as academics, criminologists and informed commentators. Understanding the threats faced, the response and whether resourcing and support is adequate to those in front line roles and to citizens seeking safer streets.
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Chairpersons Designate of State Boards

In accordance with Standing Order 96(11), the Committee has the power to require that the Chairperson designate of a body or agency under the aegis of a Department shall, prior to his or her appointment, attend before the Committee to discuss his or her strategic priorities for the role.

It presents an opportunity for Chairpersons designate to discuss the approach they will take as Chairperson with the Committee and to give their views as to what contribution they can make to the agency or body to which they are proposed to be appointed.



James Lawless, T.D.
Cathaoirleach
18th January 2023