



Northern Ireland  
Assembly

Committee for Justice

# OFFICIAL REPORT (Hansard)

Budget 2021-24: Department of Justice

5 November 2020

# NORTHERN IRELAND ASSEMBLY

## Committee for Justice

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

Mr Paul Givan (Chairperson)  
Ms Linda Dillon (Deputy Chairperson)  
Mr Doug Beattie  
Ms Sinéad Bradley  
Ms Jemma Dolan  
Mr Paul Frew  
Ms Emma Rogan  
Miss Rachel Woods

**Witnesses:**

Mr Ronnie Armour	Department of Justice
Ms Deborah Brown	Department of Justice
Mr Glyn Capper	Department of Justice
Ms Julie Harrison	Department of Justice

**The Chairperson (Mr Givan):** I welcome Deborah Brown. I know all the folks sitting there, but do you want to introduce your team, Deborah, to save me doing that? I will hand over to you at this stage. Once you have introduced your team, you can make a start.

**Ms Deborah Brown (Department of Justice):** Thank you, Chair. Good afternoon, and thank you to the Committee for this opportunity to provide you with a briefing on our return to the Department of Finance on the Budget 2021-24 information-gathering exercise.

This afternoon, I am joined by Ronnie Armour, the director of the reducing offending directorate; Julie Harrison, the director of the safer communities directorate; and Glyn Capper, who is representing Anthony Harbinson from the access to justice directorate.

When we were last at the Committee in October, we had just submitted our response to the Department of Finance's information-gathering exercise following an early discussion with the Minister. Since then, we have continued to refine what was presented by the spending areas, and, today, we would like to outline the key aspects of that response and take your views. To facilitate the discussion, we provided a written briefing in advance to give the Committee the opportunity to identify the areas that it wants to explore further.

You will recognise that the information that we have provided covers a wide range of areas, both within the Department and across its agencies and non-departmental public bodies (NDPBs). On that basis, we thought that it would be most useful for the Committee to have the opportunity to discuss any issues outlined with those who are responsible for those areas.

In setting the next Budget, when the exercise was first commissioned by the Department of Finance, it was anticipated that the Budget would cover the period 2021-24 in resource terms and a further year until 2025 in capital. However, we now know that the Chancellor has announced that there will be a one-year Budget, given the challenges around COVID-19. However, we all know, of course, that one-year Budgets are not helpful for medium- to longer-term planning, and this development is not ideal. However, given the wider uncertainty over the medium- to longer-term funding position, it is not unexpected. In recognising the challenges of one-year Budgets in setting last year's Budget, the Department started more medium- to longer-term planning, which has helped this process and helped us to understand the needs across the Department.

We hope that the written briefing and today's discussion will provide you with a good overview of the position going into next year, provide the context around it and provide further detail underpinning it to help to inform your views to feed into the ongoing process. What we will discuss today is by no means our settled position, but I hope that it provides the Committee with the areas in which there are challenges in terms of financial pressures and also areas in which we will be keen to invest in line with the Minister's priorities and, of course, subject to funding.

Before we open up for questions, I would like to provide a brief overview of the response to the Department of Finance. The response asked for details of pressures faced by the Department, and a summary of those has been included in your pack for consideration. Given the context that it is now a one-year Budget, I will focus on the 2021-22 figures. You will recognise that, across the range of spending areas, there is a significant list of pressures, and we have tried to categorise them for ease of discussion. The Department faces in the region of £56 million in inescapable resource DEL pressures, £21 million of which relates to pay and price. A significant element of what we do is serviced by people, and the key aspects of that sit in the Police Service of Northern Ireland (PSNI) and the Northern Ireland Prison Service (NIPS), as you will see from your papers. Indeed, as a whole, pay accounts for 70% of the departmental budget and therefore places ongoing pressures each year.

Fifteen million pounds in inescapable pressures relate to the PSNI across a range of areas, including estates, security, body armour and uniform. There are £19 million in other pressures across the justice family. Some of the key elements of those include court staffing and modernisation, legal aid and other staff pressures. You will note from your papers that those are the pressures that we deem to be inescapable. Therefore, we need that funding just to stand still.

We have categorised the remaining bids under broad headings in order to help to provide background on the figures, what drives the costs, some areas of uncertainty and the need for additional funding. First, there are areas for which we anticipate DOF funding, given their significance. Those are the implications of COVID-19, EU exit and legacy inquests. We have provided the best estimates of the figures at this time, but you will appreciate that those will continue to be refined as the position becomes clearer. Significant additional funding has been essential in those areas this year, and the expectation is that that needs to continue, because the costs simply could not be absorbed.

The next section of bids relates to transformation and New Decade, New Approach (NDNA). The most significant element of that relates to the PSNI strategic outline cases (SOCs) for an increase in police officer numbers to 7,500 and an investment in digital IT. Since the Committee received the written briefing, DOF has approved those cases. That approval will allow the PSNI to proceed with the development of individual outline business cases (OBC). It is important to distinguish between the types of business cases to avoid any confusion. A strategic outline case, or SOC, which you will hear them referred to, should be a relatively brief introduction to the project concept that contains enough detail to support an informed decision on whether to proceed to the next stage, which is an outline business case. It is at that next stage that a more detailed analysis is undertaken and options are considered in order to robustly determine a preferred option. The OBC is where the expenditure implications of the preferred option become clear, and it is only after the OBC is approved that expenditure can be committed subject to affordability. The Department will continue to work with the PSNI on ongoing requirements and operational considerations, which are a matter for the Chief Constable.

You will also note from your papers that we included bids for funding for the tackling paramilitarism and Together: Building a United Community (T:BUC) funding that we receive each year. That has been included to ensure that a complete picture is provided of additional funding requirements.

Finally, the Department has put forward the current best assessment of the funding needs for the significant areas of historical investigations and the compensation services' statutory discount rate in

the same household. In line with previous years, given the potential quantum of the costs, the expectation is that those need to be funded separately as, again, they simply could not be absorbed in the Department's budget.

Holiday pay and legacy litigation are two areas that we continue to keep under review, but, at this point, we have not sought to bid for additional funding.

In addition to information on bids, we were asked to set out plans to live within baselines. Given the significant pressures outlined, you will appreciate that those costs simply could not be absorbed without having a direct and immediate impact on front-line services. Ultimately, justice is a demand-led business. We have, in past years, made significant savings in areas that mean that living within the baseline would ultimately mean cuts. However, we must remember that, at this point, this is an NICS-wide exercise to inform funding decisions, and, without clarity on what the NI Budget position will be, we do not know what that budget will look like. We hope that front-line services will not be affected significantly if we receive a reasonable settlement.

That exercise is about providing an overall picture of pressures and understanding the impact if those are not funded in order to inform wider funding decisions. The Committee will note from the papers the bids that we have made for additional capital funding and that that is a significant request. Ultimately, bids will have to be reprioritised and re-profiled in order to allow us to live within the funding envelope that we are allocated.

Finally, I want to touch on prioritisation. Whilst the request asked for bids to be prioritised, that is a significant ask in a Department with five agencies and eight non-departmental public bodies. We continue to work through that with our Minister. The Committee's views are important in helping to inform that process. That will be an evolving process, and we will, ultimately, want to fully align the budget to a multi-year Programme for Government. Whilst we had hoped that it would be a multi-year Budget, we will continue to nudge that work forward internally and to make progress.

In conclusion, I hope that I have provided a useful overview of the response that was provided to DOF on the issues that we face going into the next Budget period. We continue to operate with uncertainties around COVID-19 and Brexit, but we remain committed to updating the Committee as our position develops. Thank you for the opportunity to provide this briefing, and we are happy to take any questions.

**The Chairperson (Mr Givan):** Thank you, Deborah. That has been very helpful. I just want to check that the pay costs relate to pay inflation and do not take into account any increase in personnel, such as new recruits in the Police Service or Prison Service. Is that just the standing-still figure for the current number of police?

**Ms Brown:** Yes. That is the standing-still figure. There are added costs for additional posts that are associated with further work etc. Then, separately, you will see references to the strategic outline cases for the increase in police numbers, where the estimate is that an increase in the existing provision to 7,500 officers would require approximately £40 million per annum when they are all in post, which, of course, is a position that it would take a number of years to get to.

**The Chairperson (Mr Givan):** Are the vacancies that exist in the core aspects of the Department there because of financial pressures or because of an inability to recruit people into them?

**Ms Brown:** It is really to do with supply. There are some challenges at certain grades, and with COVID some competitions were paused but are now back up and running. We are meeting internally to try to prioritise the current vacancies and those that we need to fill as quickly as possible and to determine what action needs to be taken if we cannot secure resource immediately and what that means for work going forward.

**The Chairperson (Mr Givan):** You outlined things that should not fall to the Department to fund; legacy was one, and there were a number of other areas. Has there been contingency planning if DOF is not in a position to provide funding for that bid? What would be the impact on the Department of Justice? Has that exercise highlighted the type of work streams and programmes that would need to stop if that was the case?

**Ms Brown:** When it comes to things like COVID, EU exit and NDNA, those requests are so significant that we simply could not absorb them in the baselines. With regard to the others, we have looked at

what that would mean for front-line services, and it would have an impact on the courts, prisons and police. As I said, we hope that those inescapable costs, at a minimum, would be met. However, there would be massive challenges if we did not get things like the COVID pressures and EU exit etc met. They simply would not be absorbed by the Department.

**The Chairperson (Mr Givan):** Can you give me a bit more detail on the COVID costs? I am looking at the figures. They are £36 million, £22 million and £18 million in 2023-24.

**Ms Brown:** Just let me get to my breakdown, which I had. If you recall, this year we got £25.9 million and had easements of £19 million mainly coming out of the fact that there was a reduction in the requirements for legal aid and compensation services. You can see that we need about £46 million this year for COVID, and we have secured that. We will keep that under review. The amounts that we are asking for, you will see, will decrease from that moving forward, so those figures are £36 million in year 1, £21.8 million in year 2 and £18.1 million in year 3.

I will give you the breakdown for year 1. The PSNI needs £8.7 million for PPE and IT. In prisons, for the provision of PPE and making sure that we are able to accommodate social distancing, it is about £11 million. In courts, we know that COVID has an impact on the business and therefore on the income that is recoverable, so we are estimating that about £5 million will be needed there. In the case of the Legal Services Agency (LSA), if you recall, we gave back about £13.5 million in the June monitoring round and used that in order to fund our other COVID costs. In the October monitoring round, we had to revisit that. If you recall, we gave back £3 million. So, there is about £10 million of activity that they are trying to make up. There is £9 million of that going into next year, and the other £1 million will be for the year after. Then we have some other small elements that amount to about £2.2 million across the Department.

That is a broad breakdown of those COVID costs, which are not dissimilar from this year's costs and, in fact, are slightly less.

**The Chairperson (Mr Givan):** I will be interested in looking at this one in more detail because most people will be shocked that we are still operating on the assumption that COVID will be a problem up to 2023-24, never mind up to 1 April next year.

**Ms Brown:** Absolutely. I have to say, Chair, that we had to base this on what we deem to be, hopefully, a worst-case scenario, and we hope that the position with COVID improves over the next number of months and years.

**The Chairperson (Mr Givan):** I know that the Minister of Finance has talked about Departments holding on to funding and said that he wants to make sure that they do not do that and are then not able to spend it. I think that DOJ holding is just over £2 million at the minute. Are you planning to get the £2 million spent?

**Ms Brown:** The £2 million is being held because we were still scoping what might be required for the Nightingale courts and were trying to ensure that we understood what might happen on the courts' income side. We are going through our January monitoring process and are collecting all the information on that, so we will be in a better position in a couple of weeks' time to give you an update on that. At the moment, we are hoping that we will be able to live within budget, and, if we need to, we can divert that £2 million to elsewhere in the Department if it is not needed for the Nightingale courts or the courts' income. At this point, it is reasonable to assume that some costs will be incurred for the Nightingale courts.

**The Chairperson (Mr Givan):** Will it get spent, though? You will not get to the end of the financial year and it will be sitting there but find that it will be too late to spend it elsewhere?

**Ms Brown:** I do not know what will happen between now and the end of the financial year, and we are basing that on a number of assumptions about COVID. Obviously, we are in a second wave now, and we do not know what might happen. On current projections, we are hoping that we will live within budget. As I say, we are doing more work on this over the next couple of weeks, and I will be better placed to answer that question then, Chair.

**The Chairperson (Mr Givan):** That is fair enough insofar as it goes. There are businesses crying out for money, and if Departments are sitting on funding that they are not going to spend, it could be

redirected to the private sector, which is in desperate need of it. I am sure that you are alert to the wider public interest in making sure that the funding is spent before the end of the year.

At this stage, I will bring in other members to ask questions.

**Ms Rogan:** In the papers, you gave details of the £53 million that is required for historical investigations and other bits and pieces. Is that £53 million needed if no historical investigations unit is (HIU) established? What will it be used for? Can we get a breakdown of where exactly it will be spent? For example, Jon Boucher is dealing with a number of legacy investigations, so will the money be used for the likes of that in order to bring in outside police services to investigate legacy cases?

Are there plans for any cuts to services or, indeed, to the workforce in order to absorb any of these pressures on the Department?

**Ms Brown:** As I outlined in my opening remarks, it would be really difficult for the Department to absorb those without that having an impact on the front-line services. As you know, the majority of our budget goes on staffing. If we did not get this money and had to fund some of these ourselves, that would have a significant impact.

You referred to historical investigations, and that is an element. The Office of the Police Ombudsman for Northern Ireland (OPONI) says that it needs to continue with some work on that. We await further decisions on that area.

On compensation services, this is the direct impact of the statutory discount rate hitting, which is estimated to be about £30 million. We are reviewing the statutory discount rate, and the change that we are seeing is that people are holding off putting in their claims and are awaiting confirmation of that discount rate. We expect that to hit next year. That is a working assumption, and that is why that figure is so large. The remainder of £3 million per annum is for the same household claim, which you will be aware of and which was corrected this year. That is the impact of that coming in.

We have a number of high-volume cases of legal aid large-case exceptionality. On the legal aid side, there are three specific cases. There is a 36-defendant case before the Crown Court, in which we have three groups of defendants — they are a main contractor, a number of subcontractors and others — who were involved in some money changing and who are facing a range of charges involving defrauding HMRC. That case is highly unusual because of the number of defendants and the complex relationship between them.

Another case is a 30-defendant case before the Magistrates' Court, and the charges arise from an alleged staged road traffic accident, which resulted in alleged insurance fraud. A third case is before the Magistrates' Court for committal, and it involves alleged offences of fraud, again against HMRC. Those are the exceptional cases, which we estimate to cost about £9 million over the three-year period. That is the background to those.

Do colleagues want to comment on the other elements? I am sorry, you broke up a little bit, Emma, while you were talking, so I hope that I covered all the things you mentioned.

**Ms Rogan:** I have just one more short question, and it is about the problem-solving justice piece. We have seen that it has better outcomes for individuals, families and communities. Will the Department give us a commitment that these initiatives will get funding priority in the face of the pressures that it is facing?

**Mr Ronnie Armour (Department of Justice):** I will pick up that one. I am aware that the Committee took a paper a couple of weeks ago on a problem-solving justice five-year plan. As Deborah said, the key year that we are looking at is 2021-22. Just to give some assurance, the baseline for problem-solving justice that is in the Department's baseline funding and allocated to the respective areas is about £2.6 million. That problem-solving justice five-year plan said that, for the 2021-22 year, the forecast costs are about £2.7 million. It is safe to assume that, by and large, problem-solving justice costs for that year are effectively funded. There is a very small gap, but we do not think that that will be a problem. Hopefully, that gives assurance that, as things stand, there is sufficient baseline funding to take problem-solving justice forward as planned in that year.

**Ms Dillon:** My question is a follow-up to that one. Glyn, an issue came to the Committee a few weeks ago on the support hubs, which are part of the five-year plan on problem solving justice, yet we are

being told that there is an issue with funding for it. If it is part of the five-year plan, there should not be any question about funding. I am a wee bit concerned that the Department is saying, "This is part of our five-year plan, but we intend for somebody else to pay for it or for it to be paid out of another source that is, essentially, also part of problem-solving justice, namely the PCSPs". I would just like a wee bit of clarity on that. Is it the Department's intention to fund the support hubs directly and to not ask the PCSPs to fund them for the Department?

**Ms Julie Harrison (Department of Justice):** I am happy to respond to that, Linda. Yes, there was a bit of a concern partly about communication. At the moment, there is a contribution of about £3,000 through PCSPs to the support hubs. We are working with local government and PCSPs now to come up with a better way of doing that because they are not all funded in the same way. I reiterate what Glyn said: this is really important work that we absolutely want to support, but it is just about working out the right mechanism to do that.

**Ms Dillon:** OK. The mechanism is one thing. I know exactly what you are saying, given my previous life on the Policing Board. I understand where you are coming from in that they do not all work exactly the same. However, I just want reassurance that funding for the hubs is coming from the Department directly. I accept and acknowledge that some PCSPs make a contribution, whether it is through personnel or finance. However, is funding coming from the Department for the hubs?

**Ms Harrison:** At the moment, it is not quite as direct as that. One of the things that we are going to look at is whether that is easier. Some of them are not funded at all because the work is done through local government or PCSPs. However, I restate that it is important and valuable work in the wider community safety space. We are very supportive of it, and I am confident that we will get that work through in the next couple of weeks.

**Ms Dillon:** OK.

**Mr Frew:** Thank you very much for the presentation and answers. Long-term planning is a fascinating subject, and I recognise that there is an element of crystal ball gazing in all this. As we go further into the future, figures have to be placed in context and treated as such. However, we are being constantly preached at about living in the new normal. It strikes me that living in a new normal would be a very good time to bring in efficiency savings and to do things differently in order to run Departments better. I ask each of the players around the table this: what efficiency savings are you making as we live in the new normal, and how will that affect budgets going forward?

**Ms Brown:** There are a number of reforms going on in the Department's modernisation and transformation plans. Reductions have already been made in areas such as legal aid. The Department has already absorbed cuts of over 9% since, I think, 2011-12. We have made significant reductions. On Ronnie's side, there have been large operational reductions of, I think, nearly 29%. I will let each of my colleagues speak to those. There have been significant efficiencies made across the Department over the past number of years, and we have taken on a significant amount of additional work. It would probably take all afternoon to talk through all that. I am quite happy to come back to the Committee on it, but my colleagues may want to say a wee bit about their own business areas.

**Mr Armour:** I can pick that up, Paul. Deborah is absolutely right. If you look at the Prison Service budget between 2010, for example, and now, you will see real efficiencies in terms of very significant reductions in staff and funding. As you know, we have our Prisons 2020 programme, which is about modernisation, continuous improvement and efficiency. However, I have to be honest with the Committee, in the current environment, where we are trying to deal with the challenges of COVID-19, delivering efficiencies would be very difficult. I am not sure what further efficiencies we could deliver without having to take significant action and stop some of the things that we are doing. Doing that would undoubtedly have a detrimental impact on the rehabilitation agenda that we have been pushing through the Prisons 2020 programme over the past couple of years.

**Mr Glyn Capper (Department of Justice):** I will answer that question in two parts. First, in the core Department, the access to justice space is a relatively small departmental budget, but some of our reforms will not necessarily release cash savings straight away. However, they are designed to make the system better and, therefore, to deliver longer-term savings to the justice system and further afield. I will give three examples of that problem-solving justice, which we have already talked about this afternoon, that will make a difference beyond the DOJ; the Gillen review of serious sexual offending, which the Committee is familiar with; and the world of speeding of justice.

On the Courts Service side of things, it is a similar story to what Ronnie outlined in the Prison Service, where there have been budget cuts over recent years, and, therefore, there have been savings and efficiencies made. An example is a reform of the Court Service's fee structure, which brought in significant additional income to help to mop up pressures. In the longer term, the Committee will be familiar with the Court Service's modernisation portfolio, and that looks at a range of things, including, for example, the Court Service's estate and IT. We believe that there are real savings to be made there in the long run. However, that will require shorter-term capital investment, and part of the figures that you have on the capital side of things relates to the capital funding needed to deliver the long-term term savings in the Courts and Tribunals Service.

**Ms Harrison:** From a safer communities perspective, I share Ronnie's view. All the focus is on important and essential services, so there is not a great deal of scope for efficiencies. The one longer-term exciting opportunity is in some of the transformation agenda that the police are looking at. Deborah touched on SOCs around digital officer numbers in estates and overtime. Depending on the interdependencies of those things, you could end up with efficiencies. However, that will take time to work through as they move to a new operating model, so it is not an immediate or short-term fix by any means.

**Mr Frew:** OK, thank you. Monitoring rounds will become very important if we ever get to a three-year or multi-year Budget, and I suggest that it will take on a more significant and critical role. For me, there should be a more democratic accountability with regard to monitoring rounds. What is the duty on the Department in bringing forward its plans or bids in monitoring rounds?

**Ms Brown:** Sorry, but I am not sure that I understand the question.

**Mr Frew:** Is there a duty on the Department to bring the bid before the scrutiny Committee of any Department before it is given to the Department of Finance, or do you simply bring this Committee the bid?

**Ms Brown:** We would always try to bring it to your Committee before it goes to the Department of Finance so that you can discharge your scrutiny role and can input to it to give us your views to make sure that they are taken on board. Sometimes the timing does not always lend itself to that. However, if we are ever unable to bring it to you before it goes to the DOF, there is always a time lag between the DOF collating all the information and it finding its way back to the Executive. So, there is always an opportunity for us to go back if there are particular areas that the Committee wants us to revisit, and we will, of course, bring that back to our Minister.

**Mr Frew:** So, there would not be an additional burden or difficulty if there was a statutory duty placed on Departments to bring their monitoring round bids to their relevant Committee before that bid was put in to the Department of Finance.

**Ms Brown:** The challenge will be in the timing, because, in a Department the size of DOJ, which has five agencies and eight non-departmental public bodies, collating the information takes quite a lot of time, and, obviously, then we have our internal processes. In principle, absolutely not. However, it will cause challenges for us with the timelines; it might reduce some of them. We then have the issue of how much scrutiny we have had internally before it gets to you. etc, but we can work through those things. It would not cause an issue; we could manage it.

**Miss Woods:** A number of my questions have been answered, but I will pick up on what Linda said about the support hubs. If and when that is rectified with funding through local government, PCSPs and the Department, I would certainly appreciate an update. I appreciate that they are all funded and resourced differently, but I would like to get the details of how they will be funded, which would clear up any communication issue.

**Ms Harrison:** No problem.

**Miss Woods:** We have been talking about EU exit costs for quite some time. In its response to the Committee, the Department states that:



*"The Department continues to work with justice partners ... on a range of planning scenarios including Deal and No Deal. At this stage, no additional costs have been identified in addition to the costs relating to protocol by PSNI."*

Has there been any scenario planning aside from the PSNI costs? Is there any foreseen cost in either scenario to the Department on EU exit?

**Ms Brown:** At the moment, it is all related to the police side, as far as I understand.

**Miss Woods:** OK. So, regardless of whether there is a deal or no deal, and concerning the implementation of the protocol and so on, there is no additional cost to the Department arising out of EU exit. It is only to the PSNI.

**Ms Brown:** As far as I am aware. However, I will double-check for you.

**Ms Harrison:** We are working with a range of partners, particularly through the Organised Crime Task Force. At this stage, that is right: the only financial indication at the moment is for the extra, I think, 300 officers.

**Ms Brown:** Yes, 308.

**Miss Woods:** Maybe I am being naive about the Brexit process, but I find it very surprising that there will be no additional costs relating to the issues even on which the Committee has had discussions, such as data-sharing, European arrest warrants, and relationships with an Garda Síochána. If there is no additional cost, depending on deal or no deal, apart from PSNI, that is great, but I find that quite surprising. I hope that I am proved wrong. I appreciate the feedback from the Department.

The submission refers to the number of additional police officers, which, of course, the Committee and the Assembly have debated. It states that it is intended that the costs will be met through overtime, but there is a bid for further financing on that. Will you explain what that means?

**Ms Brown:** The police originally asked us for funding for the extra 100 officers this year, which, of course, we were not able to provide. The police reprioritised their budget and have said that, by reducing some overtime, they will be able to start to bring in the 100 officers. It is important to note that they will bring in the 100 officers towards the very end of this financial year, which means that only a small proportion of the full cost of the 100 officers will hit this year. The PSNI will have to look at how it manages that next year, depending on the budget that is allocated.

**Miss Woods:** So, it is the 100 officers rather than the additional ones whom we have discussed?

**Ms Brown:** Yes.

**Miss Woods:** That is fine.

The Chair picked up on the COVID-19 costs, which I want to tease out. You said that that is based on a worst-case scenario. Is the worst-case scenario the one that we are in right now or the one that we were in from March to June? I want to get my head round what that looks like.

**Ms Brown:** It is fair to say that lessons have been learned. As we know, courts and prisons have been very innovative in how they can still deliver parts of their business. We have jury trials and all the rest of it up and running. We hope that we can build on that. You see costs coming down, and that is on the basis that we will continue to innovate in this area and make improvements. It is a worst-case scenario, based on the fact that we will continue to learn, make changes and adapt as time goes on.

**Miss Woods:** I appreciate that it is a very fluid situation and that we do not know what will happen in a week, let alone in two years' time. I appreciate that it is very much crystal-ball gazing.

Finally, paragraph 72 of your briefing paper refers to

*"Savings measures required to live within baseline".*

It refers to Northern Ireland Courts and Tribunals Service civil fees. Can you tell me what those civil fees are?

**Mr Capper:** Would you like a breakdown of the fees?

**Miss Woods:** No, I would just like to know what they are and what that means. Paragraph 72 states that:

*"they are relatively small starting at £275k in 2021-22 increasing to £600k in 2023-24."*

What does that mean, in practice?

**Mr Capper:** I am pausing because I may have a slightly differently numbered pack from yours. I am trying to find the relevant sentence.

**Miss Woods:** It is paragraph 72. It is the section on plans to live within resource DEL baselines.

**Mr Capper:** OK. My understanding of that is the Courts Service has been delivering a reform of its fee structure over the past few years. Although it does not deliver savings, it delivers increased income, and that increased income can help to offset pressures. This is another tranche of those civil fee increases that will deliver the amounts of money mentioned in your pack. I will refer to Courts Service colleagues, who may be able to give us more breakdown on what fees deliver those amounts of money, but I know that there is a range of civil fees that make up different percentages of the total civil fee income. I can come back to you with a breakdown of the civil fees that make up those numbers, if you are content with that.

**Miss Woods:** Thank you. I appreciate that. It is to try to tease out whether that is something that the Committee has already been addressed on and agreed to or whether this is a new fee structuring coming down the line, because, obviously, it does extend £275,000 in 2021-22 and that more doubles in 2023-24.

**Mr Capper:** As part of that conversation, I will make sure that we split that between fees that have been agreed by the Committee and are in place and any element that proposes new ones. I can assure you that, if there are proposed new fees, we will work with the Committee as they are developed.

**Miss Woods:** I appreciate that. It was just out of interest.

**The Chairperson (Mr Givan):** I will bring in Sinéad Bradley.

**Ms S Bradley:** Can you hear me?

**The Chairperson (Mr Givan):** Yes. Thank you, Sinéad.

**Ms S Bradley:** I was having difficulty with the hand-up system in the earlier part of the meeting.

Thank you for your presentation. I want to reiterate the importance of fully understanding that statement of the financial implications of EU exit. I too was a little taken aback by that, particularly given the presentations from the PSNI, who talked about suboptimal options, how laborious they were and labour-intensive costs. It was my understanding that there would be a ripple effect across the justice family. So, I would appreciate a clearer explanation on that topic.

You said that there is very little scope left in the Department to cushion or absorb any further financial pressures that it may face. When you make your submissions to the Department of Finance, do you outline that? How directly do you speak to the Department of Finance about what that would mean for front-line services and what the impact would be? I take your point about investing in projects that would service a longer-term saving. Do you outline to the Department of Finance that, if you do not have this budget and are forced to stop on this, the implications are that we will not see the savings that are projected in years 2, 3, 4 and 5 going ahead?

Now that I have the mic, I am keeping it. *[Laughter.]* On capital DEL projects, you mentioned that the Police Ombudsman has a higher *[Inaudible]* in this year. Could you explain what that is? In addition, is there pressure on NDPBs to help to achieve efficiencies across the Department?

**Ms Brown:** First, there are detailed templates in which we outline the implications if those pressures are not met, and we will supply the Committee with the detailed templates, as all the information is in them. You will see that in each business area we have clearly articulated the impact that that would have on front-line services.

I am not sure about OPONI. We were talking about the historical investigations, and there are pressures in OPONI that we are bidding for, and that is resource, not capital. We have been working very closely with the NDPBs throughout the process to ensure that we are clear about what is truly inescapable, understanding what cuts in savings they have absorbed in the past, and what it would mean for them if they did not get their budget allocation. Again, that is covered in the templates that have been given to DOF in relation to the implications for the arm's-length bodies of living within their allocation.

That gives you a sense that we are at the point where we cannot absorb anything. We will have to stop things or pause them or slow them down. That is the sort of really tough decision ahead of us. When we get our funding envelope, it will give us a better idea of how far down we need to go.

**The Chairperson (Mr Givan):** Thank you, Deborah, and the team for your time. We have a few more questions, but I am happy to follow up on them in writing. Thank you for joining us today.