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**Mr J Spratt
Chair
Assembly and Executive Review Committee
Parliament Buildings
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18 November 2008

In our letter of 28 July we indicated that following discussions we would seek to offer the Committee further advice to inform its consideration of the issues in relation to the devolution of policing and justice.

We are now able to provide you with the following further advice:

- We have agreed certain arrangements for the discharge of policing and justice functions by the Assembly. We believe that the practical experience gained during the operation of these arrangements will inform decisions on the long-term structures which would be appropriate for the continued discharge of policing and justice functions.
- The following arrangements would be subject to a sunset clause which would bring them to an end not later than May 2012. Following a period of operation they would be reviewed in light of the experience. Permanent arrangements would then be put in place by May 2012. There would be no fall-back arrangements in place and there would therefore be a necessity for the parties to agree a way forward by this time.
- Any Justice Minister elected during the period of these arrangements up until May 2012 would require a majority of Assembly members, present and voting, including a majority of designated nationalists and a majority of designated unionists. If during this period a vacancy in the office occurred, it would be filled in the same way.
- In order to ensure the independence of the Judiciary responsibilities in relation to the appointment and removal of judicial office holders would rest with the Judicial Appointments Commission.
- We would be minded that John Larkin QC be invited to become Attorney General.
- We have agreed that the department will be known as the Department of Justice.

We believe that these proposals along with those contained in our previous correspondence represent a resolution of many of the most difficult issues in relation to the modalities. We remain content to offer further views on matters which you may wish us to consider and we are content separately or together to discuss these and any other matters with the committee. We have asked our officials to make the necessary arrangements.

We have attached a copy of a paper detailing the agreed process in relation to the devolution of Policing and Justice.

We intend to discuss with the Secretary of State the funding allocation for such a new department and we would hope to provide the committee with information which may be helpful in reaching a conclusion on the issue of financial provision.

We look forward to considering your report.

Yours sincerely



RT HON PETER D ROBINSON MP MLA
First Minister



MARTIN McGUINNESS MP MLA
deputy First Minister

