

Consultation Questionnaire
PSNI's
Draft EQIA Consultation Report
on
SPEEDY JUSTICE

November 2012

Purpose of this document

The purpose of this consultation questionnaire is to seek your views on the draft Equality Impact Assessment (EQIA) on Speedy Justice. Through this document, we hope that you will have a chance to consider and tell us your views.

The draft Equality Impact Assessment can be found on our website at:

www.psnipolice.uk (pathway: 'Updates' / 'Consultation zone')

How to respond

This questionnaire has been developed to help you give your views. If you require additional copies of this questionnaire or the background documents, or require them in an alternative format, please contact:

Chief Inspector Michael Kirby

Police Service of Northern Ireland

Service Improvement department

Knock House, 29 Knocknagoney Road, BT4 2PP

Telephone: 02890 922373

Fax: 02890 922340

Email: michael.kirby@psni.pnn.police.uk

Responses must be received no later than 4pm on 1st March 2013 and should be posted or emailed to the above contact.

Please note that all responses will be treated as public, and may be published on our website. If you do not want your response to be used in this way, or if you would prefer it to be used anonymously, please state this when you respond (see Statement of Confidentiality and Access to Information Legislation at the end of this document).

After considering all responses, a final EQIA report will be published.

Thank you for taking the time to complete this questionnaire and for giving us your views.

Consultee information

I am responding as:

An individual

on behalf of an organisation

Name	
Job title (If applicable)	
Organisation (If applicable)	
Address	
Telephone	
Email	

PSNI: Speedy Justice

The draft EQIA report sets out the PSNI's current policy on the operation and management of Speedy Justice, and includes reference to a number of disposal options available to the PSNI including:

- Streamline No Prosecution Files;
- Non Court Diversion (non court disposal options from the PPS by telephone for Informed warning (Juvenile); Restorative Caution (Juvenile); Youth Conference (Juvenile); Informed Warning (Adult); Caution (Adult); Driver Improvement Scheme (17 years and above);
- Penalty Notices for Disorder (PND);
- Discretionary Disposals.

For various reasons outlined in the EQIA draft consultation report, the key focus falls on Discretionary Disposals, and potential adverse impacts that may attach to these types of disposal. The EQIA has been informed by earlier pre-consultation with key stakeholders whose views have been taken on board within the draft EQIA report as appropriate.

This EQIA has identified that existing data with regard to the Discretionary Disposal policy remains partial, and hence at the present time it is difficult to identify, in a meaningful way, adverse impacts and associated mitigating measures. Preliminary data analysis would suggest that the profile of those who are either victims of offences that are disposed of via Discretion, or perpetrators of offences addressed through Discretion, may be related to Section 75 grounds but the basis for these conclusions is not strong.

To remedy this deficit, it is recommended that the following actions will be taken. This will include a commitment to carry out a further EQIA during 2014, at which time stronger conclusions can be reached based on a firmer and more robust data foundation.

1. PSNI will consult widely on this EQIA, and use this consultation to help identify appropriate monitoring procedures
2. Internal consultations within PSNI will be used to establish monitoring procedures by all appropriate Section 75 grounds, for both victims and offenders.
3. Guidance documents linked to Speedy Justice will continue to be informed and modified by feedback received before and during the EQIA process.
4. These consultations and data will be used to inform the carrying out of a further EQIA during 2014.
5. Future implementation of Speedy Justice will be fully integrated with actions and targets as set out in the PSNI Equality, Diversity and Good Relations Strategy 2012-2017.

Questions 1 – 4 below deal with the Speedy Justice policy in general while Questions 5 – 10 focus on the EQIA.

Question 1: Do you have any comments on the PSNI's current policy regarding Speedy Justice?

In order for an offender to be 'eligible' for non-court diversion such as discretion, the police officer needs the consent of the offender.

Question 2: Do you have any suggestions that might assist seeking 'true consent' without it being judged or perceived as being coercive ?

A discretionary disposal seeks to identify an outcome that has the consent of the offender and where possible satisfies the victim. This may involve an apology, unpaid work, payment to cover damage/loss or another outcome as appears appropriate.

Question 3: Do you have any suggestions that would help ensure the outcome was proportionate to the crime?

Question 4: Do you feel satisfied there is sufficient accountability concerning police issue of discretionary disposals?

Question 5: Do you have any comments on the draft EQIA in general terms?

Question 6: Please provide details of any other issues which you think should be included in the draft EQIA and your reasons for suggesting them.

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Equality Impact Assessment (EQIA)

The draft EQIA report sets out an assessment of impact in terms of Section 75 categories.

Question 7: Do you agree or disagree with the assessment of impacts?

Strongly Agree	Agree	Neither Agree or Disagree	Disagree	Strongly Disagree

If you do not agree with the assessment of impacts, please tell us your reasons and any changes you think should be made.

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Question 8: To what extent do you agree with the preliminary recommendations? Do you agree they are appropriate?

Strongly Agree	Agree	Neither Agree or Disagree	Disagree	Strongly Disagree

If you do not agree that the recommendations are appropriate, please tell us why and suggest any changes or further recommendations that you would like to see us take.

Data and research analysis

The draft EQIA report summarises the data and research which has been used to arrive at the list of potential impacts.

Question 9: Are you aware of any further data and/or research which may be relevant? If so, please list sources in the box below.

EQIA report and consultation

Question10: Do you have any further comments on the draft EQIA report and/or the consultation process?

Confidentiality and Access to Information Legislation

Information provided in response to this consultation, including personal information, may be published or disclosed in accordance with access to information legislation: these are chiefly the Freedom of Information Act 2000 (FOIA), the Data Protection Act 1998 (DPA) and the Environmental Information Regulations 2004 (EIR).

If you want the information that you provide to be treated as confidential, please be aware that, under the FOIA, there is a statutory Code of Practice (section 45) with which public authorities must comply and which deals, amongst other things, with obligations of confidence. In view of this, it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information, we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on PSNI.

For further information about confidentiality of responses please contact the Information Commissioner's Office on 028 9026 9380 or email ni@ico.gsi.gov.uk (or visit www.ico.gov.uk).