



Making Northern Ireland Safer For Everyone Through Professional, Progressive Policing

Com Sec: 10\3691

June 2010

*Dear Mr M<sup>c</sup>Quillan MLA*

**To ask the Minister of Justice how he will ensure the Discretion Project will offer fair and transparent policing; and how the project will be monitored.** 7084/10

The above mentioned question was placed before the Minister of Justice, who has deemed that this is an operational matter for the Police Service of Northern Ireland. Therefore the Chief Constable has been asked to respond directly.

It is our aim to widen those justice disposal options which are available to both victims and perpetrators of crime. The Discretion Project is one of a number of initiatives intended to do this. It is a victim focused alternative to prosecution and the PSNI has worked very hard to ensure that the Project offers fair and transparent policing. It includes:

- specifying the nature and type of offences which may be considered suitable for a discretionary disposal, namely low level minor offences and incidents
- ensuring the suspect is suitable to receive a discretionary disposal and clear guidelines regarding suitability have been established
- Offering victims a choice as to how they wish their offence to be dealt with, that is by Discretion or through the formal justice system. Should a victim decide they do not wish the offence to be dealt with by means of Discretion then the matter will be processed as normal through the formal justice system
- Allowing the victim an opportunity to stipulate a suitable disposal, which must be proportionate to the crime

The alleged suspect must admit the offence and show remorse. They must also agree to take part in the Discretionary Disposal and accept the victim's wishes with regards to a suitable disposal. The initial caution and interview of the suspect occur as if the case were to proceed through the formal justice system, in accordance with the Police and Criminal Evidence Order and Codes of Practice. The suspect is read a standardised text reminding them of the fact they should not admit to an offence they have not committed, and must complete the Discretionary Disposal. They can at any stage elect not to complete it and have their case entered into the formal justice system.

Command Secretariat, PSNI Headquarters, 65 Knock Road, Belfast, Northern Ireland BT5 6LE  
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*Calls within Police Service of Northern Ireland telephone system may be monitored or recorded*


The Discretion Project will be monitored with minimum bureaucracy for front line officers, however all discretionary disposals are recorded.

Disposals can be monitored on an Area or District Command basis, allowing for direct comparison between each. Offence types can also be monitored alongside the method of disposal. This information will be made available to District Commanders and District Policing partnerships as necessary.

Further to this a quality assurance panel has been established comprising senior representatives of the Public Prosecution Service and Department of Justice. This panel will meet monthly and quality assures Discretionary Disposals by way of a dip sample. The panel will also consider the statistics relating to the use of Discretion and should any irregular patterns be identified the panel will review those relevant disposals.

Please be advised that a copy of this letter will be placed in the Library of the Northern Ireland Assembly. If you have any queries regarding this response, please address your correspondence to Command Secretariat, PSNI Headquarters, 65 Knock Road, Belfast, Northern Ireland BT5 6LE.

I trust this is of assistance.

A handwritten signature in black ink, appearing to read 'D Moore', with a stylized flourish at the end.

**DAVID MOORE**  
Chief Inspector  
for Chief Constable

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