

# PSNI Submission on the Justice No.2 Bill

Thank you for this opportunity to comment on the Justice No.2 Bill at this stage of its development.

On a general note the Police Service of Northern Ireland (PSNI) welcomes those parts of the Bill that most obviously affect our operations, namely Parts 1 and 3. My submission therefore is confined to those parts, and to the proposed amendments in respect of a police power of arrest for fine defaulters and changes to the Firearms (NI) Order, and is by way of exception. It acknowledges that we have ongoing discussions with the Department on these matters.

## **Part 1 Fines and other Penalties: Enforcement**

### Other Fine Enforcement Issues

It would be helpful if there was presumption that fine sentences of imprisonment are to be served consecutively rather than concurrently. This would act as a more significant deterrent to offenders considering not paying, breaching SAO's or electing for prison. Similarly for Supervised Activity Orders. Again, we have discussed this with the Department.

I believe that it is important that there is a significant graduated deterrent to not paying, breaching an SAO or being sentenced to imprisonment. There should be no incentive for persistent offenders to elect for prison. Currently persistent offenders can serve a fine sentence concurrently with other unrelated sentences which is of negligible deterrent value.

## **Amendments**

### Firearms

We continue to consult with the Department in regard to the detail of these proposed changes. The Chief Constable's primary concern is for public safety and to ensure that any proposed legislation that would authorise firearms dealers to carry out transactions previously authorised by PSNI Firearms and Explosives Branch (FEB) on his behalf are backed up with clear legislation and guidance. For example, the legislation must be clear on the role of firearms dealers in 'managing payments' and associated paperwork notifying FEB of transactions, to ensure that no additional responsibilities are placed on the PSNI for a process which is a commercial transaction.

The Ministers proposal to reduce the age that a young person can possess a shotgun to 12, with appropriate supervision, within a police approved clay target club, is a matter that requires further discussion and consideration. We will continue to discuss this matter with the Department in the drafting of the new legislation.

In regard to fees I welcome the implementation of a more reflective fee structure.

### Provisions to improve information access and sharing in the fine collection process

It is important that Collection Officers have access to information both from HMRC and for benefits claimants via the Department of Social Development in order not to have collection options frustrated. Such information may also assist when devising strategies to serve details of Default Hearings.

### Proposals for a police power of arrest in relation to Fine Default Hearings

It may be that such a power is disproportionate and unnecessary in the circumstances. We have discussed this with the Department and I understand that the Department will discuss this further with the LCJ's office prior to refining this proposal.

**Part 2,3 and 4**

No comment

I trust the Committee will find this helpful.