

Press release

1 March 2010



Proposal to allow the Public Prosecution Service to issue summonses

The Northern Ireland Court Service is launching a consultation today which proposes a change to the way in which some proceedings in the magistrates' courts in Northern Ireland are begun.

The consultation paper proposes that the Public Prosecution Service for Northern Ireland should be able to commence criminal proceedings in the magistrates' courts by issuing a summons on their own authority i.e. without the involvement of a Lay Magistrate. Primary legislation will be required in order to give effect to this proposal.

The proposal is intended to modernise and simplify the procedure for the issue of a summons, in order to help address avoidable delay in the criminal justice system.

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NOTES TO EDITORS:

1. At present, there are three ways in which a defendant can be compelled to attend court in criminal proceedings. Firstly, they may be arrested and charged with an offence by the police and required to appear at a magistrates' court (either in custody or on police bail) to answer the charges against them. Secondly, a defendant may be detained on foot of an arrest warrant issued by a Lay Magistrate and brought to court. (Note – no change is proposed to the current arrangements for charging a defendant or for the issue of arrest warrants.)
2. The third way in which a defendant may be compelled to attend court in criminal proceedings is by being summoned to appear at a magistrates' court to answer a 'complaint' made against them by a prosecutor (in most cases from the Public Prosecution Service for Northern Ireland ("PPS")).
3. In its report on "Avoidable Delay" (May 2006), the Criminal Justice Inspectorate of Northern Ireland ("CJINI") considered the current arrangements for the issue of a summons to a

defendant, whereby the PPS attend before a Lay Magistrate to have bundles of summonses signed before they are issued. CJINI recommended that **“this issue should be reviewed and that alternative arrangements for the signing of summonses should be implemented.”**

4. The consultation ends on 23rd April 2010 and copies of the consultation paper can be accessed from the Northern Ireland Court Service website at: www.courtsni.gov.uk or by writing to:

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