

# **Northern Ireland Court Service**

**Proposal to increase the use of postal  
service for summonses in criminal  
proceedings in the magistrates' courts**

**MAY 2009**

**[www.courtsni.gov.uk](http://www.courtsni.gov.uk)**

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## 1. Introduction

- 1.1 In recent years, the rules relating to the service of summonses, and other court documents, in the magistrates' courts in Northern Ireland have been the subject of criticism for being cumbersome, outdated and a potential cause of delay within the justice system. Most criticism of the service rules has centred on criminal proceedings and the need for increased use of postal service.
- 1.2 This paper seeks views on a proposal to **increase the use of postal service for summonses in the magistrates' courts**. At present, summonses for offences dealt with in the magistrates' courts are generally served personally by the Police Service of Northern Ireland ("PSNI"), although summonses for a range of less serious offences can be served by post.
- 1.3 It is proposed that it should be possible for a summons to be served on a defendant by first class post for all criminal cases that are to be commenced by summons and which are prosecuted by the Public Prosecution Service for Northern Ireland ("PPSNI"), having been reported for prosecution by the police.
- 1.4 We welcome responses from organisations and individuals. Some questions for consideration are included and we would be particularly grateful for views on these specific issues. We have also carried out an initial equality screening exercise. The results are attached at **Annex A**, and we welcome comments on these also.
- 1.5 The proposal outlined in this paper do not impose or reduce costs upon businesses or third sector bodies. The proposal does not impose significant costs upon the public sector, but are, instead, expected to bring savings to the PSNI. Whilst these savings are difficult to quantify,

it is not likely that the amount saved will be in excess of £5m. On this basis, a full impact assessment of the proposal is not considered necessary.

1.6 Copies of this document have been sent to:

Committee for the Administration of Justice  
Children's Law Centre  
Citizen's Advice  
Council of District Judges (Magistrates' Courts) in Northern Ireland  
Criminal Justice Inspection Northern Ireland  
Department of Health, Social Services and Public Safety  
Disability Action  
Equality Commission for Northern Ireland  
General Council of the Bar of Northern Ireland  
Health and Social Care Board for Northern Ireland  
Include Youth  
Law Centre (NI)  
Law Society of Northern Ireland  
Northern Ireland Commissioner for Children and Young People  
Northern Ireland Human Rights Commission  
Office of the Lord Chief Justice  
RNIB (Northern Ireland)  
Youth Justice Agency

1.7 Although this is not a formal public consultation, we are interested to hear views from any other parties who have an interest in this area. We have written to all our consultees advising them of this exercise, and sought expressions of interest about participating in it.

## 2. Background

2.1 The Northern Ireland Court Service supports the Lord Chancellor in providing an efficient court system to meet the needs of the Northern Ireland public.

2.2 This paper outlines the current arrangements in relation to the service of summonses, in criminal proceedings, in the magistrates' courts. These arrangements are contained in the **Magistrates' Courts Rules (Northern Ireland) 1984** S.R. 1984 No.225 ('the 1984 Rules.')

- 2.3 The paper proposes some amendments to the 1984 Rules which would allow **greater use to be made of service by first class post** in the magistrates' courts, in respect of all offences that are to be prosecuted by way of summons by the PPSNI, following report by the PSNI.
- 2.4 The 1984 Rules currently contain a general requirement that a summons in criminal proceedings should be served personally, and provide that, in most cases, the summons is to be served by a member of the PSNI.
- 2.5 In recent years, certain drawbacks have been identified in the way in which most summonses in criminal proceedings are served. The presumption in favour of personal service has been the subject of criticism for being cumbersome, outdated and a potential cause of delay within the justice system. It has been suggested that more use should be made of service by alternative methods.
- 2.6 In some criminal cases, summonses can already be served by post. Since 2003, it has been possible for the PPSNI to serve summonses relating to most summary offences (generally speaking the less serious types of offence) through the post.
- 2.7 Both the PPSNI and PSNI suggest that there are benefits in increasing the scope of offences for which postal summonses can be used. In its Report "Avoidable Delay"<sup>1</sup>, the Criminal Justice Inspectorate of Northern Ireland suggested that increasing the use of postal summonses offers an alternative to personal service by the police. Furthermore, the inter-agency Delay Action Team (established to devise a strategy to reduce avoidable delay in the processing of

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<sup>1</sup> <http://www.cjini.org/documents/DelayReport.pdf> (May 2006)

criminal cases) has also advocated extending the use of postal summonses.

2.8 The Magistrates' Courts Rules Committee is also supportive of the proposal to extend the range of offences for which summonses might be served by post.

2.9 It should be noted that the Northern Ireland Court Service is also examining a number of broader reforms to modernise procedures in the magistrates' courts, including measures to reform service provisions across all types of business, arrangements for proving service, providing for electronic service and allowing service to be effected upon legal representatives. It is recognised, however, that reform in these areas would need to be carefully thought through and might represent longer-term goals.

2.10 **A separate Government consultation paper on these broader reforms is likely to issue in the Autumn. It will also seek views on a proposal to introduce a new method of requiring a defendant to appear before a magistrate's court (without recourse to a Lay Magistrate). This element of reform will require primary legislation.**

2.11 We think, however, that the time is now right to consider the proposal to allow greater use to be made of postal service in criminal proceedings in the magistrates' courts. This could be achieved by relatively straightforward amendments to the 1984 Rules.

### 3. Current position

- 3.1 The general rule in relation to offences prosecuted by the PPSNI is that summonses must be served in person by a member of the PSNI.
- 3.2 The 1984 Rules stipulate that every summons must be served upon the defendant, either by delivering a copy to him, or in certain circumstances, leaving it for him with someone who appears to be over sixteen years old at the defendant's usual or last known address or place of business.
- 3.3 In addition, the Rules provide that in every case, the person who serves the summons shall endorse on the original the date, place and manner of service, and unless service is proved by an affidavit or certificate of service in a prescribed form, they must attend at the hearing of the complaint to give evidence as to service.
- 3.4 At present, service is normally proved by affidavit or certificate, but it will soon be possible for a summons served personally by a member of the PSNI to be proved by means of an electronic report. This will be possible once the Causeway<sup>2</sup> Data Sharing Mechanism 1 (DSM1) is operational.
- 3.5 The Rules also provide that any summons requiring a person charged with an offence to appear before a magistrates' court in Northern Ireland, which needs to be served in England and Wales or Scotland, must also be served personally by any member of a home police force or by another authorised person. It should be noted that we are not proposing to amend the arrangements that apply to summonses that

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<sup>2</sup> Causeway is a joint enterprise by the criminal justice organisations in Northern Ireland which aims to improve their performance by sharing information electronically.

are to be served on persons in England and Wales or in Scotland. These would be continue to be served personally.

*Current use of service by post*

- 3.6 The main exception to the requirement for personal service is that summonses prosecuted by the PPSNI relating to summary offences may be served by sending a copy by first class post to the defendant at his usual or last known address or place of business. The summonses are posted to the defendant by the PPSNI.
- 3.7 Where a summons is served in this way, a number of additional requirements must be satisfied. For instance, they must be endorsed with the name and description of the person posting it and the date and place of posting and the person posting it must complete and sign a certificate of service.
- 3.8 Moreover, in relation to acknowledgement of service, the Rules provide that;
- if a defendant fails to appear to answer a postal summons, service is not considered valid unless a written acknowledgement of service signed by the defendant (or his solicitor) is produced to the court; and
  - unless the contrary is proved, a signed acknowledgment of service is taken as proof of service; and
  - the summons is deemed to have been served at the time at which it would have been delivered in the ordinary course of post.
- 3.9 Currently, postal service of summonses in criminal proceedings is **only** available in respect of summary offences. It is not permitted in respect of:
- indictable offences which may be tried summarily;

- summary offences for which there is a right to be tried by jury;
- summonses relating to offences where the defendant is under 18 years old; or
- summonses which are to be served on a corporate body.

At present, in respect of these types of cases, summonses must be served personally.

#### **4. Why change?**

##### *Reducing Delay*

- 4.1 One argument in favour of reform is that delay is caused by the requirement that, in most criminal cases, summonses must be served personally. Ensuring that summonses are served in person by the police is, by nature, time-consuming. It requires police officers to attend the defendant's home or place of work to serve the summons and, in many instances, involves follow-up visits where a first visit is unsuccessful. Moreover, in policing terms, summons serving is not a high priority task. As a result, summonses are often not served in time for the court hearing. When this happens, it is necessary to have the summons re-dated and re-signed by a Lay Magistrate before it can be re-served.
- 4.2 PPSNI has an agreed target of 6 weeks (for postal summonses) and 8 weeks (for personal service) from issue of summons to first court date. This is known as the 'return date'. Moving to greater use of postal summonses has the potential to save two weeks in individual cases.
- 4.3 We recognise that where service of a 'postal' summons has been unsuccessful on the first attempt, it will have to be re-issued to be served personally by the PSNI. However, this is no different from the position where personal service has been unsuccessful on its first

attempt – as the summons would also have to be re-issued for service to be attempted again.

- 4.4. The PPS have indicated that there is some evidence to suggest that this initial time saving may be maintained throughout the process, regardless of the number of service attempts required – even in those cases where an initial postal summons is unsuccessful and one or more personal service attempts are required

*Maintaining effectiveness*

- 4.5 As outlined earlier, the PPSNI can already use postal summonses in respect of summary offences. Recent statistics (provided by the PPSNI) show that, **overall**, serving summonses by post can be as effective as personal service. They demonstrate that between 1 January 2008 and 31 December 2008 the overall success rate for summonses served by post in Northern Ireland was 80.2% (i.e. in 80.2% of cases where a postal summons issued, the summons was served at the first attempt and the defendant attended court/ returned an acknowledgement of service) compared with an overall success rate of 80.8% for summonses served personally. These statistics are set out further at **Annex B**.<sup>2</sup>

- 4.6 The figures suggest that the success rate for postal service may vary between certain areas of Northern Ireland (though the same can be said for summonses served personally.) Consideration is being given to whether further work is necessary to identify what factors contribute to the variation of success rates in individual areas.

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<sup>2</sup> The statistical data is at present provisional. It is included for illustrative purposes and to promote discussion. Figures are run from a live database and may change due to late returns and further validations.

### *Reducing draw on resources*

- 4.7 A further argument in favour of extending the use of postal service is that it would lead to resource savings for the PSNI. Some initial research carried out by PSNI established that each policing district spent, on average, 190 hours a week serving summonses. Extrapolating from that figure, PSNI estimates that the current resource cost, in terms of the amount of time spent by its officers serving summonses across all eight policing districts is almost £2.4 million per annum. Variable factors such as the number of attempts which have to be made before personal service is effected, and associated travel costs means that this figure can only be a rough estimate. What is clear, however, is that a significant amount of police time and resource is taken up by what is, in policing terms, not a priority task.

### *Other jurisdictions*

- 4.8 Reforms have been brought forward to the Criminal Procedure Rules 2005 ('CPR') in England and Wales, to simplify and modernise the procedure relating to the service of documents (including summonses) in criminal proceedings. The CPR provides that a summons may be served either:
- by handing it over; or
  - by leaving it at, or posting it, by first class post, to an address.

## 5. The Proposal

- 5.1 It is proposed that the current postal service arrangements should be extended to **all cases commenced by summons and prosecuted by the PPSNI**, following report by the PSNI. This would make postal service by first class post available in respect of all categories of offence, not just summary ones. Personal service of a summons by the police would, however, still be an available option, and could be used if service by post had been unsuccessful (or in certain areas where the success rate of postal service was less effective.)
- 5.2 It is not proposed to change the current requirements regarding endorsement and certificate of service as set out above at paragraph 3.7 (although in due course it should be possible for PPSNI to prove service by way of an electronic report.)
- 5.3 Similarly no change to the requirement that service must be acknowledged is proposed at this time, although issues around acknowledgment of service will be explored in the separate consultation paper on the broader summons related reforms in the Autumn.
- 5.4 As noted earlier, under the current arrangements the Rules do not permit postal service to be used if the defendant concerned is a child (i.e. is under 18 years old.) It should also be noted that special arrangements currently exist in relation to summonses for offences where the defendant is under 18 years old. When a child is summoned to attend court, the child's parent/ guardian may also receive a summons to attend court during the proceedings.
- 5.5 Views are sought as to whether it is now appropriate to extend the use of postal service to this category of defendant, and allow summonses

to be served by first class post where the defendant is a child. We recognise that there may be particular issues around service on children by post (particularly where they are vulnerable) which might need to be taken into account.

- 5.6 The current arrangements do not permit first class post to be used for summonses which are to be served on a corporate body. These must be served personally on the secretary or clerk of the body, or by registered post or recorded delivery to the body's registered or principal office or at any place of business maintained by it in Northern Ireland.
- 5.7 It is proposed that no distinction should be made between summonses that are to be served on individuals and those which are to be served on corporate bodies. Accordingly, we propose that service by first class post should be available as an option where a summons is to be served on a corporate body. Views are sought on whether this is appropriate. Consultees may wish to consider whether this raises any practical issues that need to be addressed, for example, who should be responsible for acknowledging service (the secretary or clerk of the body, or the person receiving it?)

## 6. Questions to consider

6.1 We would welcome responses to the following consultation questions –

**Question 1: In your opinion, should greater use be made of postal service of summonses in the magistrates' courts in Northern Ireland?**

Yes

No

Comments:

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**Question 2: In your opinion, are there any types of offence for which postal service should not be used? If yes, please explain.**

Yes

No

Comments:

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**Question 3: In your opinion, could summonses relating to offences where the defendant is a child be served by post?**

Yes

**Go to Question 4**

No

Comments:

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**Question 4: If yes, are there any special arrangements that might be necessary, for example should the summons be served upon: (please tick as appropriate)**

- The child
- The parent
- The guardian
- Other  (If so please comment)

**Comments:**

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**Question 5: In your opinion, could summonses relating to offences where the defendant is a corporate body be served by first class post?**

- Yes
- No

**Comments:**

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**Question 6: If yes, are there any special arrangements which might be necessary, for example who should be required to return the acknowledgment of service?**

**Comments:**

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6.2 We would also welcome any comments in relation to the results of the Equality Screening exercise which was carried out for this proposal, and which is set out at **Annex A**, as well as any other comments on the principle of using postal service for this purpose.

## 7. How to Respond

7.1 The last date for responses to this consultation is **Tuesday 30 June 2009**.

7.2 Consultation Responses should be sent to:

**E-mail :** [communicationsgroup@courtsni.gov.uk](mailto:communicationsgroup@courtsni.gov.uk)

**Post :** Colin Ross  
Consultation Coordinator  
Postal Summonses Consultation  
Northern Ireland Court Service  
Laganside House  
23-27 Oxford Street  
BELFAST  
BT1 3LA

**Fax:** 028 9072 8942

7.3 When responding, please state whether you are responding as an individual or representing the views of an organisation. If responding on behalf of an organisation, please make it clear who the organisation represents and, where applicable, how the views of members were assembled.

7.4 This document is also available at [www.courtsni.gov.uk](http://www.courtsni.gov.uk)

7.5 A list of consultees who have been notified about this consultation is presented at **Annex C**.

### **Confidentiality**

7.6 In line with the Northern Ireland Court Service's policy of openness, at the end of the consultation period copies of the responses we receive may be made publicly available. The information they contain may also be published in a summary of responses. If such a summary is published it will be made available on the Northern Ireland Court Service website. If you do not want all or part of your response or name made public, please state this clearly in your response. Any confidentiality disclaimer that may be generated by your/your organisation's IT system or included as a general statement in your fax cover sheet will be taken to apply only to information in your response for which confidentiality has been specifically requested.

7.7 We will handle any personal data you provide in accordance with the Data Protection Act 1998.

- 7.8 You should also be aware that there may be circumstances in which the Northern Ireland Court Service will be required to communicate information to third parties on request, in order to comply with its obligations under the Freedom of Information Act 2000.

## **Complaints**

- 7.9 If you have any comments about the way this consultation has been conducted, these should be sent to the Head of Communications Group at:

**E-mail :** [communicationsgroup@courtsni.gov.uk](mailto:communicationsgroup@courtsni.gov.uk)

**By Post:** Northern Ireland Court Service  
Information Centre  
Laganside House  
23-27 Oxford Street  
BELFAST  
BT1 3LA

**Fax:** 028 9072 8942

**Text Phone:** 028 9041 2920

## **Additional Copies**

- 7.10 You may make copies of this document without seeking permission. If you require further printed copies of the consultation document, we would invite you to access the document through our website and make the copies yourself. If you do not have access to the internet and require us to provide you with further copies, please contact the Consultation Co-ordinator with your specific request.
- 7.11 This document is available in alternative formats on request. Please contact the Information Centre at the address at 7.9 above with your request.

## **What happens next?**

- 7.12 Once responses have been considered, the Court Service will make a recommendation to the Magistrates' Courts Rules Committee about the way forward. If the proposal has been supported, amendments to the 1984 Rules will be prepared for the Rules Committee to consider. If the Rules Committee is content, the necessary amendments to the 1984 Rules to allow increase use of postal service could implemented in September 2009.
- 7.13 As this is not a formal public consultation there are no plans to publish a formal response.

**NORTHERN IRELAND COURT SERVICE**

**Screening of  
Policies**

**Proposal to increase the use of postal service  
for summonses in criminal proceedings in the  
magistrates' courts**

**Date Policy Screened: 8 April 2009**

**Policy Screened by: Bronagh O'Reilly  
Brian Sinnamon  
Graham Walker**

## **CONTENTS**

- 1 GENERAL GUIDANCE ON SCREENING OF POLICIES**
- 2 SUMMARY OF POLICY**
- 3 SUMMARY OF AVAILABLE INFORMATION**
- 4 GUIDANCE ON COMPLETING QUESTIONNAIRE**
- 5 SCREENING FORM**

## 1. General guidance on screening of policies

Section 75 of the Northern Ireland Act places new duties on Public Authorities to promote equality of opportunity and good relations. The statutory duty makes equality central to the whole range of public policy decision making and should:

- Contribute to better decisions being made by public authorities
- Encourage greater openness in government
- Greater transparency in decision making
- Assist public authorities to effectively and efficiently address issues of equality
- Assist in complying with the law.

The Northern Ireland Court Service arrangements for complying with this requirement are set out in our Equality Scheme. Section 3.3 of the Scheme outlines our commitment in line with the Commissions guidance to Screen all our policies to identify those with equal opportunity implications.

It is important that when considering the impact of policies on the promotion of equality of opportunity, due regard is given to the need to promote **equality of opportunity** for all categories of persons specified in Section 75. (The Nine Categories)

These are:

- Persons of different religious belief
- Persons of different political opinion
- Persons of different racial group
- Persons of different age

- Persons of different marital status
- Persons of different sexual orientation
- Men and women generally
- Persons with a disability and persons without
- Persons with dependants and persons without

The relevant categories of persons between whom **good relations** are to be promoted are

- Persons of different religious belief
- Persons of different political opinion
- Persons of different racial group

Each Policy will be considered against the following criteria:

- Is there evidence of higher or lower participation or uptake by different groups?
- Is there evidence that different groups have different needs, experiences, issues and priorities in relation to the particular policy?
- Is there an opportunity to better promote equality of opportunity or better community relations by altering the policy or working with others in government or in the larger community
- Have consultations with relevant groups, organisations or individuals indicated that particular policies create problems, which are specific, to them.

Section 5 is a Screening Form that should facilitate your considerations.

## **2. Summary of Policy**

This is a proposal to allow greater use of postal service for summonses for criminal cases in the magistrates' courts. It is proposed that it should be possible for a summons to be served on a defendant by first class post for all criminal cases that are to be commenced by summons and which are

prosecuted by the Public Prosecution Service for Northern Ireland (“PPSNI”), following report by the police. Service by post is currently restricted to summary offences.

It should be noted that the consultation is also seeking views in relation to service by post on children and on corporate bodies to inform the final policy decision. Accordingly, the equality screening took place on the basis that summonses might be served by post on children and corporate bodies, to ensure that all relevant issues were considered and for overall completeness.

The overall aim of the policy is to help reduce avoidable delay in the prosecution of offences and to modernise and help maintain the effectiveness of the criminal justice system. The policy may also produce resource savings to the Police Service of Northern Ireland.

### **3. Summary of available information**

Recent statistics (provided by the PPSNI) show that, ***overall***, serving summonses by post can be as effective as personal service. They demonstrate that between 1 January 2008 and 31 December 2008 the overall success rate for summonses served by post in Northern Ireland was 80.2% (i.e. in 80.2% of cases where a postal summons issued, the summons was served at the first attempt and the defendant attended court/ returned an acknowledgement of service) compared with an overall success rate of 80.8% for summonses served personally. The statistical data is, however, provisional at present.

### **4. Guidance on completing questionnaire**

Before completing the questionnaire you should ensure that you have a clear understanding of the aim of the policy in question.

**Questions 1-4** deal specifically with the criteria set out at section 2. Before answering these questions you should have considered fully any information available which may have impacted on the development of the policy.

Having considered the available information you should again think through the policy and it's purpose to identify whether there is anything expressed within it which is likely to have an adverse differential impact on anyone belonging to any group within the nine categories, **(Question 5)**, or alternatively, any action omitted, the addition of which would promote equality of opportunity, **(Question 6)**.

If the answer to one or more of these questions is **Yes** you are asked to make a determination as to whether or not the policy should be subject to a full equality impact assessment **(Question 7)**

It should be borne in mind that a **Yes** answer does not automatically trigger an equality impact assessment. Unfortunately there is no guidance available on what constitutes adverse differential impact, although it should be noted that differential impact could exist between groups but not necessarily be adverse.

If the answer to all the questions is **No** there is then clearly no requirement to subject the policy to a full equality impact assessment.

If however the answer to **Question 7** is **Yes**, a full equality impact assessment is required, a view must then be reached on the priority issues for equality impact assessment, **(Question 8)**.

Priorities will be based on the following factors:

- Relevance to Social Need
- Effect on peoples daily lives
- Effect on economic, social and human rights
- Scale of expenditure incurred by the policy
- Cultural or political impact on people

Finally, remember that the purpose of this screening is to identify any equality implications within the policy; it is not to carry out a full impact assessment. Use your knowledge of the policy together with the additional available information to help you provide an informed indication of whether a full equality impact assessment is or is not necessary.

## SCREENING FORM

### Question 1

**Is there any evidence of higher or lower participation or uptake by different groups within any of the nine categories?** *Please tick relevant box*

NO	<input checked="" type="checkbox"/> *
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*Please go to next question*

YES	<input type="checkbox"/>
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*Please complete the box below*

#### **If Yes please give details:**

\* The panel considered this question in terms of persons who were likely to be served with a summons. Although there is no available evidence specifically identifying the type of persons who receive (or are likely to receive) summonses, the panel concluded (using proxy indicators) that young males were more likely to offend, and therefore young males might display 'higher' participation.

However the panel considered that none of the nine categories would be disadvantaged by the policy.

### Question 2

**Is there any evidence that different groups have different needs, experiences, issues and priorities in relation to the particular policy?** *Please tick relevant box*

NO	<input type="checkbox"/>
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*Please go to next question*

YES	<input checked="" type="checkbox"/>
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*Please complete the box below*

#### **If Yes please give details:**

There is some evidence that persons of a different racial group, persons with a disability and young people may have different needs in relation to the policy – for example in understanding the importance of a summons received by post.

The panel considered that the policy contains adequate safeguards - if a person has received a summons by post and does not acknowledge receipt or attend at court on the hearing date, proceedings are declared void and arrangements are made to have the summons served personally by the police. A person who does not act in response to a postal summons because they have not understood its importance is therefore not disadvantaged.

However, having identified this issue, the panel recommended that additional relevant representative groups be added to the list of targeted consultees.

### Question 3

**Is there an opportunity to better promote equality of opportunity or better community relations by altering the policy or working with others in government or in the larger community** *Please tick relevant box*

NO	<input checked="" type="checkbox"/>
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*Please go to next question*

YES	<input type="checkbox"/>
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*Please complete the box below*

**If Yes please give details:**

### Question 4

**Have consultations with relevant groups, organisations or individuals indicated that particular policies create problems which are specific to them** *Please tick relevant box*

NO	<input checked="" type="checkbox"/>
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*Please go to next question*

YES	<input type="checkbox"/>
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*Please complete the box below*

**If Yes please give details:**

\* Consultation is still to take place and it is hoped that relevant groups, organisations and individuals will take the opportunity to raise any problems through that process.

Having identified particular groups with potentially different needs and experiences, a number of additional representative groups are to be added to the targeted consultee list.

In addition, all bodies/ organisations listed on the NICtS general consultee list will be made aware of the exercise and invited to indicate whether they wish to receive further information on the draft proposals.

**Question 5**

**Is there anything expressed within the policy that is likely to have an adverse differential impact on anyone belonging to any group within the nine categories?** *Please tick relevant box*

NO	<input checked="" type="checkbox"/>
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*Please go to next question*

YES	<input type="checkbox"/>
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*Please complete the box below*

**If Yes please give details of the impact and the affected group:**

\* See response to Question 2.

There is some evidence that persons of a different racial group, persons with a disability and young people may have different needs in relation to the policy – for example in understanding the importance of a summons received by post.

The panel however considered that the policy, as expressed, contains adequate safeguards (as set out at Question 2 above).

**Question 6**

**Is there any action omitted from the policy, the addition of which would promote equality of opportunity for anyone belonging to any group within the nine categories?** *Please tick relevant box*

NO	<input checked="" type="checkbox"/>
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*Please go to next question*

YES	<input type="checkbox"/>
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*Please complete the box below*

**If Yes please give details of the amendment and the beneficial impact:**

**Question 7**

**If the answer to any of the preceding questions is Yes, please indicate whether the policy should be submitted to a full equality impact assessment** *Please tick relevant box*

<b>NO</b>	<input checked="" type="checkbox"/>
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<b>YES</b>	<input type="checkbox"/>
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The panel considered that although the answer to question 2 was 'Yes', no significant adverse impact exists. According the panel consider that the policy should not be submitted to a full equality impact assessment.

**If the answer to Question 7 is Yes please consider the priority for equality impact assessment**  
*Please tick relevant box*

**Significant Impact – Must be addressed**

**Moderate Impact – Readily addressed**

**Low Impact – Not readily addressed**

## PPS - Successful First Personal Summons for Summary Trials between 01/01/2008 and 31/12/2008

2008

	Successful		Unsuccessful		Sum:
	%	Count	%	Count	
ANTRIM	91.1%	257	8.9%	25	282
ARDS	79.3%	375	20.7%	98	473
ARMAGH	89.8%	132	10.2%	15	147
BALLYMENA	81.0%	323	19.0%	76	399
BANBRIDGE	91.2%	104	8.8%	10	114
BELFAST & NEWTOWNABBEY	74.1%	2,065	25.9%	723	2,788
CASTLEREAGH	80.6%	129	19.4%	31	160
CRAIGAVON	84.7%	476	15.3%	86	562
DOWN	83.8%	384	16.2%	74	458
EAST TYRONE	81.5%	470	18.5%	107	577
FERMANAGH	87.5%	300	12.5%	43	343
LARNE	81.5%	101	18.5%	23	124
LIMAVADY	81.8%	202	18.2%	45	247
LISBURN	80.0%	376	20.0%	94	470
LONDONDERRY	75.3%	320	24.7%	105	425
MAGHERAFELT	75.4%	150	24.6%	49	199
NEWRY & MOURNE	86.3%	339	13.7%	54	393
NORTH ANTRIM	85.3%	464	14.7%	80	544
NORTH DOWN	83.1%	392	16.9%	80	472
OMAGH	88.3%	452	11.7%	60	512
STRABANE	89.0%	178	11.0%	22	200
Sum:	80.8%	7,989	19.2%	1,900	9,889

## PPS - Successful First Postal Summons for Summary Trials between 01/01/2008 and 31/12/2008

2008

	Successful		Unsuccessful		Sum:
	%	Count	%	Count	
ANTRIM	83.9%	438	16.1%	84	522
ARDS	80.2%	295	19.8%	73	368
ARMAGH	88.0%	220	12.0%	30	250
BALLYMENA	82.3%	415	17.7%	89	504
BANBRIDGE	91.3%	376	8.7%	36	412
BELFAST & NEWTOWNABBEY	74.3%	2,445	25.7%	845	3,290
CASTLEREAGH	66.2%	280	33.8%	143	423
CRAIGAVON	83.8%	477	16.2%	92	569
DOWN	80.3%	318	19.7%	78	396
EAST TYRONE	79.3%	745	20.7%	194	939
FERMANAGH	87.3%	356	12.7%	52	408
LARNE	72.5%	87	27.5%	33	120
LIMAVADY	83.7%	283	16.3%	55	338
LISBURN	76.9%	437	23.1%	131	568
LONDONDERRY	78.8%	466	21.2%	125	591
MAGHERAFELT	82.5%	344	17.5%	73	417
NEWRY & MOURNE	89.9%	731	10.1%	82	813
NORTH ANTRIM	81.5%	508	18.5%	115	623
NORTH DOWN	80.3%	461	19.7%	113	574
OMAGH	87.0%	561	13.0%	84	645
STRABANE	81.7%	219	18.3%	49	268
Sum:	80.2%	10,462	19.8%	2,576	13,038

### List of Consultees notified about this exercise

Action for Children  
Action Group for Irish Youth Policy Unit  
Action Mental Health  
Age Concern Northern Ireland  
Age Sector Platform (ASP)  
Age Sector Reference Group  
Al Nisa  
Alliance Party  
Amnesty International  
An Munia Tober – Traveller Support Group  
Antrim & Ballymena Solicitor's Association  
Antrim Borough Council  
Ards Borough Council  
Armagh City and District Council  
Armagh Solicitors Association  
Armagh Traveller Support Group  
Association of Chief Officers of Voluntary Organisations  
Association of District Judges  
Association of Justices of the Peace  
Association of Northern Ireland Colleges  
Attorney General's Office  
Baha'i Council for NI  
Ballymena Borough Council  
Ballymena Community Forum  
Ballymoney Borough Council  
Banbridge District Council  
Baptist Church in Ireland  
Bar Immigration Practitioner's Association  
Barnardos NI  
Belfast Central Mission  
Belfast Chamber of Trade  
Belfast City Council  
Belfast City Council Youth Forum  
Belfast Education and Library Board  
Belfast Healthy Cities  
Belfast Islamic Centre  
Belfast Jewish Community  
Belfast Solicitors' Association  
Belfast Traveller Support Group  
Black, Minority Ethnic & Refugee Family Support Service  
British Deaf Association (NI)  
British Dyslexia Association  
British-Irish Rights Watch  
British Medical Association (NI)  
Brook NI  
Bryson Charitable Group  
Business in the Community  
Carafriend  
Carers National Association NI  
Carrickfergus Borough Council

Castlereagh Borough Council  
Catholic Bishops of NI  
CBI Northern Ireland (Confederation of British Industry)  
Cedar Foundation  
Centre for Young Men's Studies  
Challenge for Youth  
Chartered Institute of Personnel and Development  
Chief Officers 3<sup>rd</sup> Sector (CO3)  
Child Care Northern Ireland  
Child Poverty Action Group (NI)  
Children in NI  
Children's Law Centre  
Chinese Chambers of Commerce  
Chinese Lay Health Project  
Chinese Welfare Association  
Christian Action Research & Education (CARE)  
Chrysalis Women's Centre  
Church of Ireland  
Circles Network  
City Bridges  
Coalisland & Dungannon Solicitors' Association  
Coalition on Sexual Orientation  
Coiste na n-Irchimi  
Coleraine & Ballymoney Solicitors' Association  
Coleraine Borough Council  
Committee on the Administration of Justice  
Community Development & Health Network (NI)  
Community Evaluation Northern Ireland (C.E.N.I.)  
Community Foundation for NI  
Community Relations Council / Training & Learning Consortium  
Community Support Unit  
Compensation Agency  
Confederation of Community Groups  
Conference of Religious of Ireland (CORI)  
Conservative Party  
Cookstown Borough Council  
Cookstown Migrant Worker Support Programme  
Cookstown Solicitors' Association  
Council for the Homeless (NI)  
Council of District Judges (Magistrates' Courts) in Northern Ireland  
Council of Her Majesty's County Court Judges  
Counteract  
Craigavon Borough Council  
Craigavon Travellers Support Committee  
Criminal Bar Association  
Criminal Justice Inspection Northern Ireland  
Crown Solicitors' Office for Northern Ireland  
Cruse Bereavement Care (NI)  
DA – Young Fathers Project  
Democratic Unionist Party  
Department of Agriculture & Rural Development  
Department of Culture, Arts & Leisure  
Department of Education  
Department of Environment - Licensing  
Department of Environment - Rates

Department of Finance and Personnel  
Department of Health, Social Services and Public Safety  
Department of Social Development  
Deputy District Judge (Magistrates Court) Association  
Derry City Council  
Derry Traveller Support  
Derry Well Woman  
Disability Action  
Down District Council  
Down & District Solicitors' Association  
Down's Syndrome Association  
Dungannon and South Tyrone Borough Council  
Early Years – the organisation for young children  
East Belfast Community Development Agency  
East College  
Economic Research Institute for NI Ltd  
Employers Forum on Disability  
Equality 2000  
Equality Coalition  
Equality Commission for Northern Ireland  
Equality Forum (NI)  
Falls Community Council  
Falls Women's Centre  
Families Need Fathers (NI)  
Family Planning Association NI  
Fathers Legal Research  
Federation of Small Businesses  
Fermanagh College (Intec College)  
Fermanagh District Council  
Fermanagh Solicitors' Association  
Fermanagh Women's Network  
First Division Association  
First Key Northern Ireland  
Foyle Friend  
Foyle Women's Aid  
Foyle Women's Information Network  
FPA  
Free Presbyterian Church  
Gay and Lesbian Youth Northern Ireland  
General Council of the Bar of Northern Ireland  
Gingerbread NI  
Grand Orange Lodge of Ireland  
Green Party  
Guardian Ad Litem Agency  
Health & Social Care Board for Northern Ireland  
Health & Social Inequalities  
Help the Aged, Northern Ireland  
Her Majesty's Council of County Court Judges  
Her Majesty's Revenue & Customs  
High Court Judges  
Honorary Investment Advisory Committee  
Human Rights Commission  
Include Youth  
Indian Community Centre  
Information Commissioner

Juvenile Justice Centres  
Labour Party  
Larne Borough Council  
Law Centre (NI)  
Law Society of Northern Ireland  
Lay Magistrates Association  
Limavady Borough Council  
Limavady Solicitors' Association  
Lisburn City Council  
Lesbian Line  
Liberal Democrat Party  
Liberty  
Linc Resource Centre  
Local Government Staff Commission  
Magherafelt District Council  
Magherafelt Solicitors' Association  
Magherafelt Women's Group  
Members of the Northern Ireland Assembly  
Men to Men  
Menaware  
Mencap in NI  
Mens Action Network  
Mens Advisory Project  
Mental Health Commission for Northern Ireland  
Methodist Church  
Mid-Ulster Women's Network  
Mindwise  
Ministry of Justice  
Moyle District Council  
Multi-Cultural Resource Centre  
National Children's Bureau NI  
National Deaf Children's Society  
National Energy Action Northern Ireland  
National Society for the Prevention of Cruelty to Children (NSPCC)  
Natural Law Party  
Newry and Banbridge Solicitors' Association  
Newry & Mourne District Council  
Newry & Mourne Senior Citizens' Consortium  
Newry & Mourne Women  
Newtownabbey Borough Council  
Newtownabbey Senior Citizens' Forum  
Newtownabbey Solicitors' Association  
NEXUS Institute  
NI Inter-faith Forum  
NI Islamic Centre  
NIGRA (Northern Ireland Gay Rights Association)  
NI Youth Forum  
North West Community Network  
North West Forum of People with Disabilities  
Northern Ireland African Cultural Centre  
Northern Ireland Anti-Poverty Network  
Northern Ireland Association for Mental Health  
Northern Ireland Association of Care and Resettlement of Offenders (NIACRO)  
Northern Ireland Association of Citizens Advice Bureaux  
Northern Ireland Commissioner for Children and Young People

Northern Ireland Committee Irish Congress of Trade Unions (NIC/ICTU)  
Northern Ireland Council for Ethnic Minorities (NICEM)  
Northern Ireland Council for Voluntary Action (NICVA)  
Northern Ireland Human Rights Commission (NIHRC)  
Northern Ireland Legal Service Commission  
Northern Ireland Members of Parliament  
Northern Ireland Office  
Northern Ireland Prison Service  
Northern Ireland Public Service Alliance  
Northern Ireland Statistics and Research Agency (NISRA)  
Northern Ireland Unionist Party  
Northern Ireland Women's Aid Federation  
Northern Ireland Women's Coalition  
Northern Ireland Women's European Platform  
Northern Ireland Youth Forum  
NSPCC  
NUS USI, Northern Ireland Student Centre  
Occupational Health Service  
Office of the First Minister and Deputy First Minister  
Office of the Lord Chief Justice  
Old Warren Partnership  
Omagh College  
Omagh District Council  
Omagh Forum of Rural Associations  
Omagh Solicitors' Association  
Omagh Women's Area Network  
Omagh Women's Community Network  
Opportunity Youth  
Parents Advice Centre  
Parents and Professionals and Autism  
POBAL  
Police Service of Northern Ireland  
Polish Association Northern Ireland  
Portadown Solicitors Association  
PRAXIS  
Presbyterian Church in Ireland  
Press for Change  
Probation Board for Northern Ireland  
Progressive Unionist Party  
Public and Commercial Services Union  
Public Prosecution Service  
Public Sector Support Services Forum  
Public Trust Office  
Putting Children First  
Queer Space  
Roman Catholic Church  
Royal National Institute for Deaf People (NI)  
Royal National Institute for the Blind (NI)  
Rural Community Network  
Rural Development Council  
Sai Pak Chinese Community Association  
Save the Children  
SDLP  
Sense NI  
Sikh Cultural Centre

Simon Community NI  
Sinn Fein  
Social Economy Agency NICDA  
Social Economy Centre  
Social Security Agency  
Socialist Party  
Society of Masters  
Southern Travellers Early Years Partnership  
South Tyrone Empowerment (STEP)  
Sperrin Lakeland Senior Citizens' Consortium  
Strabane District Council  
Strabane Ethnic Community Association  
Strabane Solicitors' Association  
TADA Rural Support Network  
The Bahá'í Council for Northern Ireland  
The Blind Centre  
The Cedar Foundation  
The Guide Dogs for the Blind Association  
The Mens Project [including all registered directory organisations]  
The Participation Network [including all member organisations]  
The Rainbow Project  
The Women's Centre  
The Workers Party  
Transitional Justice Institute  
Traveller Movement Northern Ireland  
Ulster Democratic Party  
Ulster Peoples College  
Ulster Scots Heritage Council  
Ulster Unionist Party  
Ultach Trust  
Unicorn Consultancy  
Unison NI  
Unite the Union  
United Kingdom Unionist Party  
Upper Springfield Development Trust  
Venture International  
Victim Support NI  
Voice of Young People in Care (VOYPIC)  
Volunteer Development Agency  
Wah Hep Chinese Community Association  
West Belfast Economic Forum  
West Belfast Partnership Board  
Women into Politics  
Women's Aid  
Women's Coalition  
Women's Forum Northern Ireland  
Women's Group (BIC)  
Women's Information Group  
Women's Resource and Development Agency  
Women's Support Network  
Wraparound  
Youth Action NI  
Youth Council for Northern Ireland  
Youth Justice Agency