

To: [REDACTED]

PPS/PSNI Dip Sampling of Discretionary Disposals(DDs) and Penalty Notices for Disorder(PNDs).

Background to report

Since April 2013 I have met with police on a number of occasions to dip sample Discretionary Disposals and Penalty Notices for Disorder from each of the 8 Police Districts for the period January – June 2013.

This report sets out:

1. the number of cases dip sampled across the Police Districts for each of the 6 months;
2. the issues identified during that dip sampling period;
3. actions taken and
4. recommendations.

1. Number of cases dip sampled

Discretionary Disposals (DDs)

January 2013 – 19 cases
February 2013 – 19 cases
March 2013 – 19 cases
April 2013 – 19 cases
May 2013 – 40 cases
June 2013 – 38 cases

Penalty Notices for Disorder (PNDs)

January 2013 – 8 cases
February 2013 – 8 cases
March 2013 – 8 cases
April 2013 – 8 cases
May 2013 – 16 cases
June 2013 – 16 cases

2. Summary of issues identified during the dip sampling period above include the following:

1. In some cases, the evidence was insufficient to prove the offence.
2. Age of criminal responsibility - in one case DDs were issued to a 6 and 8 year old for criminal damage.
3. Suspect being under the influence of drink or drugs at the time the admission is made and a DD is discussed and agreed. Capacity issue arises.
4. Reference to mental health issues in respect of suspect which would raise a question mark in terms of the person's ability to understand the process.
5. No reference to the suspect's offending history. This is a very common omission.
6. OEL is left blank - therefore no information available about the circumstances of the offence, whether a clear and reliable admission was made (required for DDs), the agreed outcome (for DDs) or the rationale for the decision. The C&C and/or Custody record were also checked but quite often these do not assist either.
7. Differences in disposal type in respect of 2 suspects involved in the same offending - for example, in one case involving 2 YPs for shop-lifting, both made admissions, both had nothing previous, both sets of parents were involved in process and the YDO was consulted, however a DD issued in respect of one suspect and a file was submitted to PPS in respect of the other. No detail provided to explain difference in approach.
8. Domestic cases - one case involved partners and the other involved a parent and son - DDs issued in both. DASH not done and no detail re. previous relevant offending.
9. RTC cases which, on the information provided, were not appropriate to be dealt with by way of a discretionary disposal - for example, 2 cases where damage and injury was caused to the other driver. In a third case, a driver had struck another vehicle when attempting to park. She then drove off and the incident was only brought to police attention by a passer by. It transpired that the driver did not have a valid Driving Licence, insurance or MOT and yet a DD issued.
10. YDO not always consulted in youth cases.
11. Inputting issues - ie. offence type not always correct.

12. Our dip sampling has also shown a huge disparity in terms of the numbers of DDs issued from District to District.


3. Actions:

Given that these are significant issues many of which are recurring, an email was sent to PSNI on 18 July 2013 requesting details of how police intend to address same.

Dip sampling has been suspended in order to allow sufficient time for improvement to be made in the areas identified.

4. Recommendations:

These issues should be formally discussed at the next meeting of the PPS/PSNI Quality Assurance Forum. The group is due to meet again at the end of September, date to be fixed.


PPS Policy Section
16 September 2013