

*These notes refer to the Justice Act (Northern Ireland)
2015 (c.9) which received Royal Assent on 24 July 2015*

Justice Act (Northern Ireland) 2015

EXPLANATORY NOTES

OVERVIEW

Prosecutorial Fines

14. Part 3 of the Act introduces new arrangements in the form of a prosecutorial fine that will enable certain offences to be dealt with proportionately, and at an early stage, without recourse to court prosecution, thereby enabling prosecutorial resources to be better directed to prosecuting more serious offending, and dispensing with the requirement of an investigating officer appearing in court.
15. The prosecutorial fine will create new powers to enable public prosecutors to offer lower level offenders a financial penalty, up to a maximum of £200 (the equivalent of a level 1 court fine) as an alternative to prosecution of the case at court. It is proposed also that the prosecutor should have a power to attach a financial compensation order to the proposed penalty in cases of criminal damage only. Recipients of a prosecutorial fine will avoid a formal criminal record if the disposal is accepted and paid, although the criminal justice system will retain a record of such disposals to inform decisions on any future offending by the recipients of prosecutorial fines.