



Department of
Justice

An Roinn Dlí agus Cirt

Máinnystrie O tha Laa

www.justice-ni.gov.uk

Public Consultation on Increasing the Minimum Age of Criminal Responsibility in Northern Ireland from 10 Years to 14 Years

October 2022

RESPONSE TEMPLATE

[Type here]

Responding to our Consultation

We would ask that you respond to the consultation using the online facility on NI Direct which can be accessed via:

<https://consultations.nidirect.gov.uk/doj/increase-in-minimum-age-of-criminal-responsibility/>

If you are unable to respond using our online consultation facility, you can email your response using the response template below to the following email address:

macviews@justice-ni.gov.uk.

You are asked to consider providing the information below*:

Name:

Email address:

I am responding as:

An individual On behalf of an organisation

Name of organisation:

I am:

Over 18 years old Under 18 years old

*Details regarding how we will use your personal information are provided in **Annexes A & B**. We have asked for information in relation to your age as we are particularly interested in the views of those on whom this consultation will have the most impact i.e. children and young people.

Consultation Questions

1. The UN Committee on the Rights of the Child recommends that Member States set a minimum age of criminal responsibility (MACR) of no lower than 14 years. The Justice Minister supports this recommendation. Do you agree that MACR should be raised in Northern Ireland from the current age of 10 to 14 years?

Yes No

2. If you answered No to Q1, please consider the options below and select the one which most closely represents your preferred MACR.

10 years
12 years
16 years
18 years

3. If you indicated, in Q2, that your preference is for MACR to remain at 10 years, would you support an increase if exceptions were permitted for the committal of serious offences? Serious offences include murder, manslaughter, rape and aggravated sexual assault.

Yes No

4. If you answered yes to Q3, would you support an increase to:

12 years
14 years
16 years
18 years

The consultation will be open for 12 weeks from 3 October 2022. Please ensure that consultation responses are submitted before the **closing date of 23 December 2022**.

Privacy, Confidentiality and Access to Consultation Responses

1. Please note that responses to this engagement exercise will be subject to the Freedom of Information Act 2000, which gives the right of access to much of the information held by public authorities. Before you submit your response, please read the advice in **Annex A** about the effect of the Freedom of Information Act 2000 on the confidentiality of responses.
2. Before you submit a response, please also read the Privacy Notice at **Annex B**, which shows how we will use personal information as part of the processing of responses.

Complaints

3. If you have any concerns about the way this consultation process has been handled, please submit your complaint by email to Governance.Unit@justice-ni.gov.uk or write to the following address:

Governance Unit
Corporate Engagement & Communications Division
Justice Delivery Directorate
Department of Justice
Room B5.16, 5th Floor
Castle Buildings
Stormont Estate
Belfast
BT4 3SG

Freedom of Information Act 2000 – Confidentiality of Consultations

The Department intends to publish a summary of responses following completion of this exercise. Your response, and all other responses, may also be disclosed on request. The Department can only refuse to disclose information in exceptional circumstances. Before you submit your response, please read the paragraphs below on the confidentiality of consultations. They will give you guidance on the legal position about any information given by you in response to this call for views.

Subject to certain limited provisos, the Freedom of Information Act gives members of the public a right of access to any information held by a public authority, in this case, the Department. This right of access to information includes information provided in response to a consultation.

The Department cannot automatically consider as confidential information supplied in response to a consultation. However, it does have the responsibility to decide whether any information provided by you in response to this call for views, including information about your identity should be made public or be treated as confidential. This means that information provided by you in response to the consultation is unlikely to be treated as confidential, except in very particular circumstances. The Lord Chancellor's Code of Practice on the Freedom of Information Act provides that:

- the Department should only accept information from third parties "in confidence" if it is necessary to obtain that information in connection with the exercise of any of the Department's functions and it would not otherwise be provided;
- the Department should not agree to hold information received from third parties "in confidence" which is not confidential in nature;
- acceptance by the Department of confidentiality provisions must be for good reasons, capable of being justified to the Information Commissioner.

Further information about confidentiality of responses is available by contacting the Information Commissioner's Office or at Information Commissioner Website [Home | ICO](#).

Privacy Notice

Data Controller Name: Department of Justice (DoJ)

Address: Department of Justice, Castle Buildings, Stormont Estate, BELFAST, BT4 3SG

Telephone: 02890 378617

Email: FOI@justice-ni.gov.uk

Data Protection Officer Name: DoJ Data Protection Officer

Telephone: 02890 378617

Email: DataProtectionOfficer@justice-ni.gov.uk

Why are you processing my personal information?

- DoJ is seeking comments from interested parties as part of its public consultation on Increasing the Minimum Age of Criminal Responsibility in Northern Ireland. DoJ is not seeking personal data as part of the consultation but is likely to receive names and addresses/e-mail addresses as part of a consultee's response.
- Consultation is a requisite part of the development of public policy and strategy.

ONLY if you are relying on consent to process personal data.

- DoJ is not relying on consent for processing the data supplied by the applicant. DoJ is required to seek consultation responses as part of policy development.

What categories of personal data are you processing?

- Responses to the consultation will include names and addresses and/or e-mail addresses.

Where do you get my personal data from?

- The personal data will originate from the person responding to the consultation.

Do you share my personal data with anyone else?

- We will not share your personal data with other organisations.

Do you transfer my personal data to other countries?

- No.

How long do you keep my personal data?

- We will retain your data in line with 5.7 of Schedule 5 of the DoJ Retention and Disposal Schedule: <https://www.justice-ni.gov.uk/publications/doj-retention-and-disposal-schedule>

(If you use automated decision making or profiling) How do you use my personal data to make decisions about me?

- DoJ will not use automated processing for responses to this consultation.

What rights do I have?

- You have the right to obtain confirmation that your data is being [processed, and access to your personal data](#)
- You are entitled to have personal data [rectified if it is inaccurate or incomplete](#)
- You have a right to have personal data erased and to prevent processing, [in specific circumstances](#)
- You have the right to 'block' or suppress processing of personal data, in specific circumstances
- You have the right to data portability, [in specific circumstances](#)
- You have the right to object to the processing, in specific circumstances
- You have rights in relation to [automated decision making and profiling](#)

How do I complain if I am not happy?

Complaints should be submitted to:

Freedom of Information Unit

Department of Justice

Castle Buildings

Stormont Estate

BELFAST

BT4 3SG

Telephone: 02890 378617

Email: FOI@justice-ni.gov.uk

If you are unhappy with any aspect of this privacy notice, or how your personal information is being processed, please contact the *Departmental Data Protection Officer* at: DataProtectionOfficer@justice-ni.gov.uk

If you are still not happy, you have the right to lodge a complaint with the Information Commissioner's Office (ICO):

Information Commissioner's Office

Wycliffe House Water Lane Wilmslow Cheshire SK9 5AF

Tel: 0303 123 1113

Email: casework@ico.org.uk

<https://ico.org.uk/global/contact-us/>