

Public Prosecution Service for Northern Ireland

# Statistical Bulletin

## Quarter 1 2016/17

(April to June 2016)



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**Note:**

**All statistics for the current financial year are provisional and may be subject to change.**

## Introduction

### The Public Prosecution Service

The Public Prosecution Service for Northern Ireland (PPS), which is headed by the Director of Public Prosecutions, is the principal prosecuting authority in Northern Ireland. In addition to taking decisions as to prosecution in cases investigated by the police, it also considers cases investigated by other statutory authorities, such as HM Revenue and Customs.

The primary role of the PPS is to reach decisions to prosecute or not to prosecute and to have responsibility for the conduct of criminal proceedings. A range of options is also available for dealing with offenders other than through prosecution. These options include restorative cautioning, informed warnings and youth conferencing. Prosecutors may also refer offenders to the NI Driver Improvement Scheme or to a Community Restorative Justice Scheme.

#### PPS Regional Structure



A revised organisational structure was introduced in January 2016 as a result of the PPS Transformation Programme. This included the implementation of a two region model, reducing from the four regions in place previously. Each of the regions, Belfast and Eastern Region and Western and Southern Region, is headed by an Assistant Director (AD). The AD is responsible for working with the courts and the police to provide a high quality prosecution service in their area. The regions deal with a wide range of cases, from the less serious summary cases, which are heard in the Magistrates' Courts, through to more serious indictable cases which are heard in the Crown Court.

A new Serious Crime Unit (SCU) was also implemented in January 2016. The SCU, which is headed by an AD, deals with a range of the most serious offences including murder, manslaughter, rape and serious sexual offences, human trafficking, prostitution and related offences. Prior to January, cases of this type would typically have been dealt with by the regions.

In addition there are three legal sections, based in PPS Headquarters, which are also headed at AD level. These are as follows:

- Central Casework Section which deals with some of the most high profile and difficult cases in Northern Ireland, including files relating to terrorism and organised crime;
- Fraud and Departmental Section which deals with serious and complex fraud files submitted by the police, as well as files from public bodies; and
- Appeals and International Section which deals with a range of specialist legal matters (for example, High Court bail applications, extradition and appeals to the Court of Appeal).

### About this Bulletin

This bulletin presents key statistics on the activity of the PPS, including caseloads and prosecutorial decisions. It also includes data on the outcomes of prosecutions at court. The report provides information for the first three months of the 2016/17 financial year (i.e. 1 April 2016 to 30 June 2016) and includes comparisons for the equivalent period in 2015/16. Where appropriate detailed notes have been provided, which give an explanation of the relevant PPS processes and procedures.

All statistics for the current financial year are provisional and may be subject to change. For further details, see 'User Information' on page 21.

If you have any feedback, questions or requests for further information about this bulletin, please contact us as follows:

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## Summary of Key Points

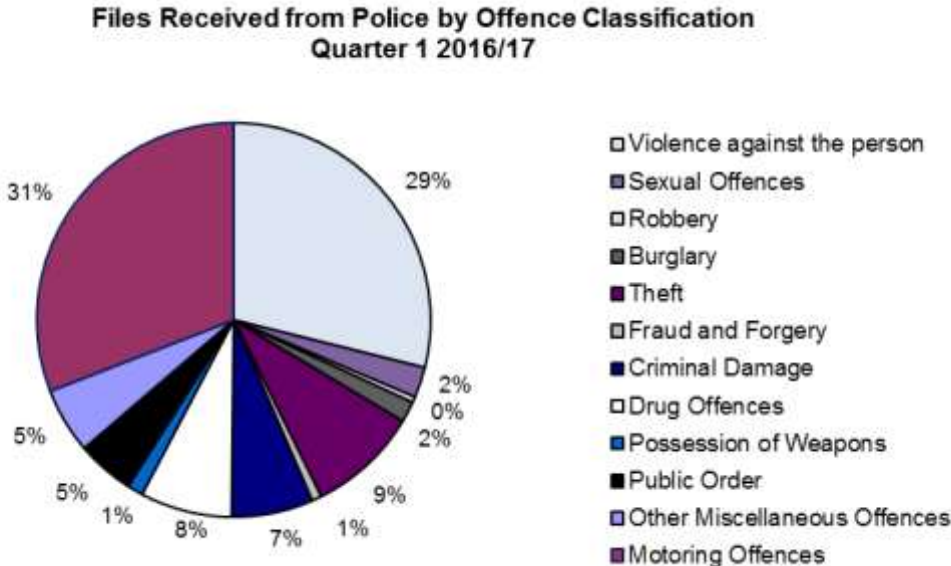
Figures quoted are for the current quarter, 1 April 2016 to 30 June 2016, unless otherwise stated. This summary should be read together with the explanatory notes provided (see pages 18 - 20).

### Files Received by File Type and PPS Region / Function (Table 1a)

- The PPS received 10,931 files during the first quarter of this financial year. This was an increase of 0.5% on the first quarter of 2015/16 (10,880).
- Just under half (48%) of all files received during the current period related to summary offences, 47% to hybrid offences and the remaining 5% to indictable offences.

### Files Received from Police<sup>1</sup> by Offence Classification (Table 1b)

- During the first quarter of 2016/17, PPS received a total of 10,653 files from police. This represents a 1.1% increase on the previous financial year (10,537).
- In terms of files received by offence classification, over two-thirds fell into three categories; 'motoring' (31%), 'violence against the person' (29%) and 'theft' (9%).
- Four offence classifications have shown an increase in the number of files received compared with the corresponding quarter of 2015/16. These are 'violence against the person' (+214), 'motoring offences' (+177), 'criminal damage' (+16) and 'robbery' (+13).



<sup>1</sup> 'Police' includes the Police Service of Northern Ireland, Belfast/Londonderry Harbour Police and British Transport Police.

**Files Submitted to PPS Departmental Section by Source Department / Agency (Table 1c)**

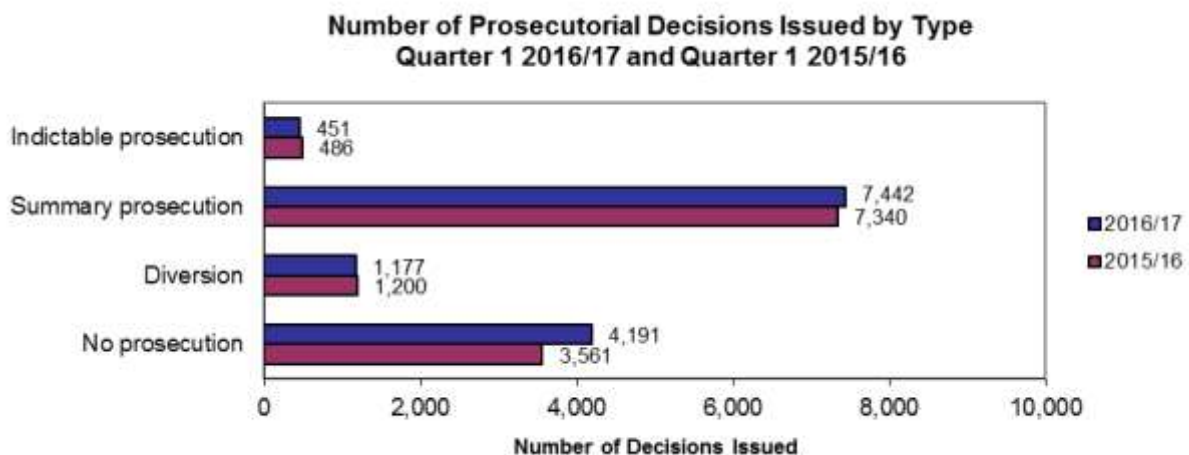
- A total of 238 files were submitted to PPS Departmental Section by departments and agencies during the first quarter of 2016/17, representing a 17% decrease on 2015/16 (288).
- During the current period, the majority of files were submitted either by the Department for Communities (42%) or the Driver and Vehicle Agency (30%).

**Information Requests Submitted to Police by Request Type and PPS Region / Function (Table 2)**

- A total of 6,716 information requests were submitted to police during the current quarter, an increase of 11% on the previous financial year (6,056).
- Fifty-six percent of all requests submitted during the current period were 'Post Decision Information Requests', 30% were 'Decision Information Requests' and 14% were 'Full File Requests'.

**Prosecutorial Decisions Issued by Decision Type and PPS Region / Function (Table 3a)**

- During the first quarter of this financial year, 13,261 prosecutorial decisions were issued by the PPS, an increase of 5% on the total issued during the first quarter of 2015/16 (12,587).
- The evidential Test for Prosecution was met in the majority of cases considered by public prosecutors during the current quarter. Of the 13,261 decisions issued, more than two-thirds (68%) were for prosecution (7,893) or for diversion from the courts (1,177). This was lower than the first quarter of 2015/16 (72%).



- Comparing the first quarters of 2016/17 and 2015/16, there was an increase of 0.9% in the number of decisions to prosecute. This comprised of a 7.2% decrease in indictable prosecution decisions and an increase of 1.4% in summary prosecution decisions. The number of diversionary decisions fell by 1.9% while no prosecution decisions increased by 17.7%.

### **Prosecutorial Decisions Issued – Reasons for No Prosecution by PPS Region / Function (Table 3b)**

- Of the 4,191 no prosecution decisions issued during the first quarter of 2016/17, the vast majority (97%) did not pass the evidential test. The remaining 3% did not pass the public interest test.

### **Average Days Required<sup>2</sup> for the Issue of Prosecutorial Decisions by Decision Type – PPS Regions (Table 3c)**

- The average number of calendar days required for the issue of an indictable prosecution decision during the first quarter of this financial year was 190, compared with 153 days during the equivalent period in 2015/16.
- During the current quarter, summary prosecution decisions required an average of 22 days. This compared with 24 days during the first quarter of 2015/16.
- The time taken for diversionary decisions varied according to the type of diversion issued. Cautions required an average of 19 days (25 days in first quarter of 2015/16), informed warnings 8 days (10 days in first quarter of 2015/16) and youth conferences 17 days (22 days in first quarter of 2015/16).

### **Summonses Issued in Police Cases by Service Method and PPS Region (Table 4)**

- A total of 7,139 summonses were issued in police cases during the current period, a decrease of 7% on the same period in 2015/16 (7,672). Comparing the first quarters of 2016/17 and 2015/16, the number of summonses issued via postal service fell by 2% while those issued via personal service fell by 17%.
- Over seven-tenths (71%) of summonses issued during the current quarter were served on the defendant by post and the remaining 29% via personal service by police.

### **Defendants Dealt with in the Crown Court by Outcome and PPS Region / Function (Table 5a)**

- During the first quarter of 2016/17, 795 defendants were dealt with in the Crown Court. This was an increase of 73% on 2015/16 (459).<sup>3</sup>
- Of these defendants, 89% were convicted and 11% acquitted.
- Comparing the first quarters of 2016/17 and 2015/16, the conviction rate increased from 84% to 89%.

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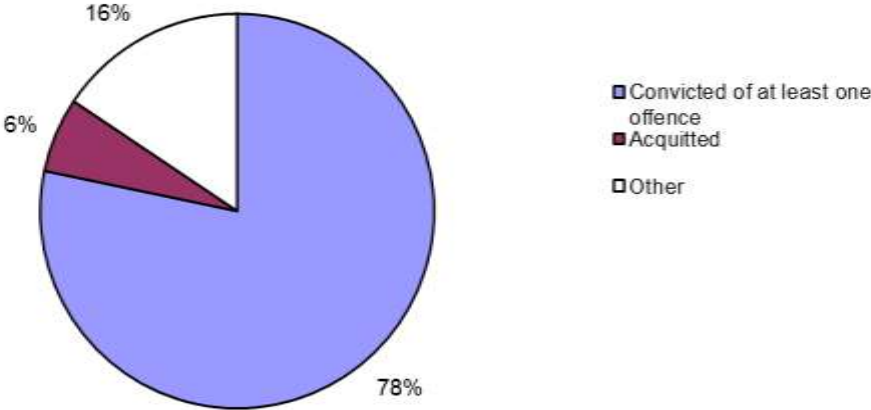
<sup>2</sup> The average figures are based on calendar days and include the time taken for the police to respond to PPS decision information requests. For indictable prosecution decisions, PPS case preparation time is also included (see explanatory notes, page 19).

<sup>3</sup> In May 2015 the Law Society and the Bar Council for Northern Ireland withdrew criminal defence services in response to the new Crown Court legal aid fee scheme introduced by the Department of Justice. As a result, no new cases were conducted in the Crown Court over the period May 2015 to February 2016.

**Defendants Dealt with in the Magistrates' and Youth Courts by Outcome and PPS Region / Function (Table 5b)**

- A total of 7,220 defendants were dealt with in the Magistrates' and Youth Courts during the first quarter of this financial year, a decrease of 7% on the same period in the previous financial year (7,788).
- Of the defendants dealt with during the current quarter, 78% were convicted, 6% were acquitted and 16% had an 'other' outcome.
- The conviction rate decreased by one percentage point compared with the equivalent period in 2015/16 (79%).

**Defendants Dealt with in the Magistrates' and Youth Courts by Outcome  
Quarter 1 2016/17**





**Table 1a: Files Received by File Type and PPS Region / Function**

Quarter 1 2015/16 and Quarter 1 2016/17 <sup>1</sup>

		PPS Region / Function <sup>2</sup>					Number of files
		Belfast and Eastern	Western and Southern	Serious Crime Unit	Headquarters	All PPS	
Quarters	File Type <sup>3</sup>	Number	Number	Number	Number	Number	
Q1 2016/17	Indictable	203	199	127	2	531	
	Hybrid	2,674	2,162	138	128	5,102	
	Summary	2,737	2,447	2	112	5,298	
	<b>All Files</b>	<b>5,614</b>	<b>4,808</b>	<b>267</b>	<b>242</b>	<b>10,931</b>	
Q1 2015/16	Indictable	272	219	N/A	4	495	
	Hybrid	2,710	2,451	N/A	172	5,333	
	Summary	2,485	2,445	N/A	122	5,052	
	<b>All Files</b>	<b>5,467</b>	<b>5,115</b>	<b>N/A</b>	<b>298</b>	<b>10,880</b>	
<b>% Change (Files Received) 2015/16 to 2016/17</b>		<b>2.7%</b>	<b>-6.0%</b>	<b>N/A</b>	<b>-18.8%</b>	<b>0.5%</b>	

<sup>1</sup> 'Quarter' refers to the financial year; i.e. Quarter 1 (Q1) reflects the period from 1 April to 30 June.

<sup>2</sup> The Serious Crime Unit was established in January 2016. 'Headquarters' includes Central Casework Section and Fraud and Departmental Section.

<sup>3</sup> See explanatory notes, page 18.

**Table 1b: Files Received from Police by Offence Classification**

Quarter 1 2015/16 and Quarter 1 2016/17 <sup>1</sup>

Offence Classification <sup>2</sup>	Number of files					
	Q1 2016/17		Q1 2015/16		Change (2015/16 to 2016/17)	
	Number	% Share	Number	% Share	Number	% Change
Violence against the person	3,074	28.9%	2,860	27.1%	214	7.5%
Sexual offences	267	2.5%	301	2.9%	-34	-11.3%
Robbery	51	0.5%	38	0.4%	13	34.2%
Burglary	180	1.7%	232	2.2%	-52	-22.4%
Theft	970	9.1%	1,066	10.1%	-96	-9.0%
Fraud and forgery	86	0.8%	108	1.0%	-22	-20.4%
Criminal damage	711	6.7%	695	6.6%	16	2.3%
Drug offences	804	7.5%	856	8.1%	-52	-6.1%
Possession of weapons	143	1.3%	156	1.5%	-13	-8.3%
Public order	505	4.7%	531	5.0%	-26	-4.9%
Other Miscellaneous offences	575	5.4%	584	5.5%	-9	-1.5%
Motoring offences	3,287	30.9%	3,110	29.5%	177	5.7%
<b>All Files</b>	<b>10,653</b>		<b>10,537</b>		<b>116</b>	<b>1.1%</b>

<sup>1</sup> 'Quarter' refers to the financial year; i.e. Quarter 1 (Q1) reflects the period from 1 April to 30 June.

<sup>2</sup> See explanatory notes, page 18.

**Table 1c: Files Submitted to PPS Departmental Section by Source Department / Agency**

Quarter 1 2015/16 and Quarter 1 2016/17 <sup>1</sup>

Department / Agency	Number of files					
	Q1 2016/17		Q1 2015/16		Change (2015/16 to 2016/17)	
	Number	% Share	Number	% Share	Number	% Change
Dept. for Communities	100	42.0%	122	42.4%	-22	-18.0%
Driver and Vehicle Agency	72	30.3%	92	31.9%	-20	-21.7%
NI Environment Agency	12	5.0%	28	9.7%	-16	-57.1%
Child Maintenance Service	26	10.9%	11	3.8%	15	136.4%
HM Revenue and Customs	10	4.2%	8	2.8%	2	25.0%
Department of Agriculture, Environment and Rural Affairs <sup>2</sup>	5	2.1%	7	2.4%	-2	-28.6%
Department for the Economy	2	0.8%	2	0.7%	0	0.0%
Health and Safety Executive	1	0.4%	3	1.0%	-2	-66.7%
Other	10	4.2%	15	5.2%	-5	-33.3%
<b>All Departments / Agencies</b>	<b>238</b>		<b>288</b>		<b>-50</b>	<b>-17.4%</b>

<sup>1</sup> 'Quarter' refers to the financial year; i.e. Quarter 1 (Q1) reflects the period from 1 April to 30 June.

<sup>2</sup> Figures for NI Environment Agency are presented separately.

**Table 2: Information Requests Submitted to Police by Request Type and PPS Region / Function**

Quarter 1 2015/16 and Quarter 1 2016/17 <sup>1</sup>

		PPS Region / Function <sup>2</sup>					Number of requests
		Belfast and Eastern	Western and Southern	Serious Crime Unit	Headquarters	All PPS	
Quarters	Request Type <sup>3</sup>	Number	Number	Number	Number	Number	
Q1 2016/17	Full File Request	382	505	36	0	923	
	Decision Information Request	915	937	142	12	2,006	
	Post Decision Information Request	2,107	1,528	108	31	3,774	
	No Decision	1	12	0	0	13	
	<b>All Requests Submitted</b>	<b>3,405</b>	<b>2,982</b>	<b>286</b>	<b>43</b>	<b>6,716</b>	
Q1 2015/16	Full File Request	355	516	N/A	5	876	
	Decision Information Request	933	931	N/A	12	1,876	
	Post Decision Information Request	1,822	1,448	N/A	6	3,276	
	No Decision	7	21	N/A	0	28	
	<b>All Requests Submitted</b>	<b>3,117</b>	<b>2,916</b>	<b>N/A</b>	<b>23</b>	<b>6,056</b>	
<b>% Change (Requests Submitted) 2015/16 to 2016/17</b>		<b>9.2%</b>	<b>2.3%</b>	<b>N/A</b>	<b>87.0%</b>	<b>10.9%</b>	

<sup>1</sup> 'Quarter' refers to the financial year; i.e. Quarter 1 (Q1) reflects the period from 1 April to 30 June.

<sup>2</sup> The Serious Crime Unit was established in January 2016. 'Headquarters' includes Central Casework Section and Fraud and Departmental Section.

<sup>3</sup> See explanatory notes, page 18.

**Table 3a: Prosecutorial Decisions Issued by Decision Type and PPS Region / Function**

Quarter 1 2015/16 and Quarter 1 2016/17 <sup>1</sup>

Number of persons (decisions issued)

Quarters	Type of Decision <sup>3</sup>	PPS Region / Function <sup>2</sup>						
		Belfast and Eastern	Western and Southern	Serious Crime Unit	Headquarters	All PPS		
		Number	Number	Number	Number	Number		
Q1 2016/17	Prosecution	Indictable prosecution	209	162	41	39	451	
		Summary prosecution	3,996	3,183	31	232	7,442	
	Diversion	Caution	393	406	7	1	807	
		Informed warning	47	54	0	0	101	
		Youth conference	107	69	1	0	177	
		Other	20	72	0	0	92	
	No Prosecution	2,021	1,948	139	83	4,191		
	<b>All Decisions Issued</b>	<b>6,793</b>	<b>5,894</b>	<b>219</b>	<b>355</b>	<b>13,261</b>		
	Q1 2015/16	Prosecution	Indictable prosecution	246	216	N/A	24	486
			Summary prosecution	3,862	3,224	N/A	254	7,340
Diversion		Caution	386	467	N/A	2	855	
		Informed warning	60	77	N/A	0	137	
		Youth conference	78	47	N/A	0	125	
		Other	32	51	N/A	0	83	
No Prosecution		1,788	1,732	N/A	41	3,561		
<b>All Decisions Issued</b>		<b>6,452</b>	<b>5,814</b>	<b>N/A</b>	<b>321</b>	<b>12,587</b>		
<b>% Change (Decisions Issued) 2015/16 to 2016/17</b>		<b>5.3%</b>	<b>1.4%</b>	<b>N/A</b>	<b>10.6%</b>	<b>5.4%</b>		

<sup>1</sup> 'Quarter' refers to the financial year; i.e. Quarter 1 (Q1) reflects the period from 1 April to 30 June.

<sup>2</sup> The Serious Crime Unit was established in January 2016. 'Headquarters' includes Central Casework Section and Fraud and Departmental Section.

<sup>3</sup> See explanatory notes, page 19.

**Table 3b: Prosecutorial Decisions Issued - Reasons for No Prosecution by PPS Region / Function**

Quarter 1 2015/16 and Quarter 1 2016/17 <sup>1</sup>

		PPS Region / Function <sup>2</sup>					Number of persons (decisions issued)
		Belfast and Eastern	Western and Southern	Serious Crime Unit	Headquarters	All PPS	
Quarters	Reason for no prosecution <sup>3</sup>	Number	Number	Number	Number	Number	
Q1 2016/17	Did not pass the evidential test	1,941	1,914	135	77	4,067	
	Did not pass the public interest test	80	34	4	6	124	
	<b>All no prosecution decisions</b>	<b>2,021</b>	<b>1,948</b>	<b>139</b>	<b>83</b>	<b>4,191</b>	
Q1 2015/16	Did not pass the evidential test	1,684	1,672	N/A	37	3,393	
	Did not pass the public interest test	104	60	N/A	4	168	
	<b>All no prosecution decisions</b>	<b>1,788</b>	<b>1,732</b>	<b>N/A</b>	<b>41</b>	<b>3,561</b>	
<b>% Change (No prosecution decisions issued) 2015/16 to 2016/17</b>		<b>13.0%</b>	<b>12.5%</b>	<b>N/A</b>	<b>102.4%</b>	<b>17.7%</b>	

<sup>1</sup> 'Quarter' refers to the financial year; i.e. Quarter 1 (Q1) reflects the period from 1 April to 30 June.

<sup>2</sup> The Serious Crime Unit was established in January 2016. 'Headquarters' includes Central Casework Section and Fraud and Departmental Section.

<sup>3</sup> See explanatory notes, page 19.

**Table 3c: Average Days Required for the Issue of Prosecutorial Decisions by Decision Type (PPS Regions)**

Quarter 1 2015/16 and Quarter 1 2016/17 <sup>1</sup>

			Average (calendar) days
Quarters	Type of Decision <sup>2</sup>		All Regions
Q1 2016/17	Prosecution	Indictable prosecution	190
		Summary prosecution	22
	Diversion	Caution	19
		Informed warning	8
		Youth conference	17
		Other	31
	No Prosecution		45
Q1 2015/16	Prosecution	Indictable prosecution	153
		Summary prosecution	24
	Diversion	Caution	25
		Informed warning	10
		Youth conference	22
		Other	16
	No Prosecution		43

<sup>1</sup> 'Quarter' refers to the financial year; i.e. Quarter 1 (Q1) reflects the period from 1 April to 30 June.

<sup>2</sup> Average days includes time taken for police to respond to decision information requests (see explanatory notes, page 19).

**Table 4: Summonses Issued in Police Cases by Service Method and PPS Region**

Quarter 1 2015/16 and Quarter 1 2016/17 <sup>1</sup>

		PPS Region				Number of summonses
		Belfast and Eastern	Western and Southern	Serious Crime Unit	All Regions	
Quarters	Service Method <sup>2</sup>	Number	Number	Number	Number	
Q1 2016/17	Postal Service	2,906	2,148	11	5,065	
	Personal Service	1,244	812	18	2,074	
	<b>All Summonses</b>	<b>4,150</b>	<b>2,960</b>	<b>29</b>	<b>7,139</b>	
Q1 2015/16	Postal Service	2,904	2,272	N/A	5,176	
	Personal Service	1,545	951	N/A	2,496	
	<b>All Summonses</b>	<b>4,449</b>	<b>3,223</b>	<b>N/A</b>	<b>7,672</b>	
<b>% Change (Summonses Issued) 2015/16 to 2016/17</b>		<b>-6.7%</b>	<b>-8.2%</b>	<b>N/A</b>	<b>-6.9%</b>	

<sup>1</sup> 'Quarter' refers to the financial year; i.e. Quarter 1 (Q1) reflects the period from 1 April to 30 June.

<sup>2</sup> See explanatory notes, page 20.



**Table 5a: Defendants Dealt with in the Crown Court by Outcome and PPS Region / Function**

Quarter 1 2015/16 and Quarter 1 2016/17 <sup>1</sup>

		PPS Region / Function <sup>2</sup>					Number of persons (defendants)
		Belfast and Eastern	Western and Southern	Serious Crime Unit	Headquarters	All PPS	
Quarters	Outcome <sup>3</sup>	Number	Number	Number	Number	Number	
Q1 2016/17	Convicted of at least one offence	344	299	6	55	704	
	Acquitted	40	47	1	3	91	
	Other	0	0	0	0	0	
	<b>All defendants</b>	<b>384</b>	<b>346</b>	<b>7</b>	<b>58</b>	<b>795</b>	
	<b>Conviction Rate (%) <sup>3</sup></b>	<b>89.6%</b>	<b>86.4%</b>	<b>85.7%</b>	<b>94.8%</b>	<b>88.6%</b>	
Q1 2015/16	Convicted of at least one offence	225	136	N/A	26	387	
	Acquitted	38	27	N/A	4	69	
	Other	1	1	N/A	1	3	
	<b>All defendants</b>	<b>264</b>	<b>164</b>	<b>N/A</b>	<b>31</b>	<b>459</b>	
	<b>Conviction Rate (%) <sup>3</sup></b>	<b>85.2%</b>	<b>82.9%</b>	<b>N/A</b>	<b>83.9%</b>	<b>84.3%</b>	
<b>% Change (Defendants dealt with) 2015/16 to 2016/17 <sup>4</sup></b>		<b>45.5%</b>	<b>111.0%</b>	<b>N/A</b>	<b>87.1%</b>	<b>73.2%</b>	

<sup>1</sup> 'Quarter' refers to the financial year; i.e. Quarter 1 (Q1) reflects the period from 1 April to 30 June.

<sup>2</sup> The Serious Crime Unit was established in January 2016. 'Headquarters' includes Central Casework Section and Fraud and Departmental Section.

<sup>3</sup> See explanatory notes, page 20.

<sup>4</sup> In May 2015 the Law Society and the Bar Council for Northern Ireland withdrew criminal defence services in response to the new Crown Court legal aid fee scheme introduced by the Department of Justice. As a result, no new cases were conducted in the Crown Court over the period May 2015 to February 2016.

**Table 5b: Defendants Dealt with in the Magistrates' and Youth Courts by Outcome and PPS Region / Function**

Quarter 1 2015/16 and Quarter 1 2016/17 <sup>1</sup>

		PPS Region / Function <sup>2</sup>					Number of persons (defendants)
		Belfast and Eastern	Western and Southern	Serious Crime Unit	Headquarters	All PPS	
Quarter	Outcome <sup>3</sup>	Number	Number	Number	Number	Number	
Q1 2016/17	Convicted of at least one offence	2,817	2,638	11	185	5,651	
	Acquitted	263	167	2	11	443	
	Other	638	447	9	32	1,126	
	<b>All defendants</b>	<b>3,718</b>	<b>3,252</b>	<b>22</b>	<b>228</b>	<b>7,220</b>	
	<b>Conviction Rate (%) <sup>3</sup></b>	<b>75.8%</b>	<b>81.1%</b>	<b>50.0%</b>	<b>81.1%</b>	<b>78.3%</b>	
Q1 2015/16	Convicted of at least one offence	3,031	2,913	N/A	225	6,169	
	Acquitted	236	190	N/A	9	435	
	Other	513	601	N/A	70	1,184	
	<b>All defendants</b>	<b>3,780</b>	<b>3,704</b>	<b>N/A</b>	<b>304</b>	<b>7,788</b>	
	<b>Conviction Rate (%) <sup>3</sup></b>	<b>80.2%</b>	<b>78.6%</b>	<b>N/A</b>	<b>74.0%</b>	<b>79.2%</b>	
<b>% Change (Defendants dealt with) 2015/16 to 2016/17</b>		<b>-1.6%</b>	<b>-12.2%</b>	<b>N/A</b>	<b>-25.0%</b>	<b>-7.3%</b>	

<sup>1</sup> 'Quarter' refers to the financial year; i.e. Quarter 1 (Q1) reflects the period from 1 April to 30 June.

<sup>2</sup> The Serious Crime Unit was established in January 2016. 'Headquarters' includes Central Casework Section and Fraud and Departmental Section.

<sup>3</sup> See explanatory notes, page 20.

## Explanatory Notes

### **Table 1a**

A file may refer to one or more individuals. 'File type' is based on the 'primary' offence (generally the most serious offence in terms of the potential penalties in law) in each case at the time the file is submitted to PPS. In general, *summary offences* relate to less serious criminal behaviour and are tried in the Magistrates' Court before a District Judge. *Indictable offences* relate to more serious criminal behaviour and are tried at the Crown Court before a judge, and in most cases, a jury. There are a number of *hybrid offences* which may be tried at either the Magistrates' or Crown Court, for example: theft; assault occasioning actual bodily harm, etc. For these offences, on taking a decision to prosecute, the Public Prosecutor must also decide whether the defendant should be tried in the Magistrates' Court or the Crown Court. In making this decision the prosecutor will consider whether the Magistrates' Court is the appropriate venue in that it has sufficient sentencing powers in relation to the gravity of the offence. For a range of offences, the defendant may also elect for trial in the Crown Court.

The figures include all files submitted by police (Police Service of Northern Ireland, Belfast / Londonderry Harbour Police and British Transport Police), the Office of the Police Ombudsman and a range of statutory authorities, for example the Driver and Vehicle Agency and HM Revenue and Customs. It should be noted that files submitted by the Office of the Police Ombudsman may be considered by prosecutors in the regional offices or Headquarters.

### **Table 1b**

The Offence Classifications used are standardised across the criminal justice organisations in Northern Ireland. While current classifications continue to mirror the Home Office Recorded Crime Offence Categories, there may be some variation in the offences included within each category. Therefore, data published on Recorded Crime Offence Groups prior to 2014/15 will not be directly comparable with the Offence Classifications.

Files have been assigned to the respective categories on the basis of the 'primary' offence (see above) in each case at the time the file is submitted to PPS from police.

'Police' includes the Police Service of Northern Ireland, Belfast / Londonderry Harbour Police and British Transport Police. Files received by the PPS Regions / Headquarters from the Office of the Police Ombudsman are excluded.

### **Table 2**

The various types of request are defined as follows:

- *Full file requests* are designed to allow the PPS to ask the PSNI for a full file as defined in the relevant protocols.
- A *decision information request (DIR)* is issued by PPS to police where the evidence and information contained in an investigation file is incomplete and a further written report or action is required before a prosecutorial decision can be taken.
- *Post decision information requests* are designed to allow the PPS to ask the PSNI to gather additional evidential material or provide other information required at some further stage in the prosecution process (e.g. for trial).
- Finally a *'no decision' decision information request* may issue when, on the evidence submitted by police in an investigation file, it is not possible to take a prosecution decision and

it is not reasonable to issue a detailed DIR having regard to the number or type of deficiencies in the file.

**Table 3a**

More than one prosecutorial decision may be recorded against any individual within a case. Therefore 'type of decision' refers to the most serious decision issued, in the following order: Indictable prosecution; summary prosecution; diversion; and no prosecution. A number of types of prosecutorial decision are available to the prosecutor, as follows:

- *Indictable prosecution* applies in the more serious offences which may be heard in the Crown Court.
- *Summary prosecution* applies to cases which may be heard in the Magistrates' Courts.
- *A caution* is a formal reprimand administered by the police. Whilst it is not a conviction it is recorded on a person's criminal record for a period of 30 months for youths and 5 years for adults.
- *An informed warning* is also a formal reprimand administered by police and is recorded on a person's criminal record for a period of 12 months.
- *A diversionary youth conference* is an alternative to prosecution in court and may be used in cases where the defendant is a youth. This type of restorative conference may involve a number of parties, including the defendant, the victim and police. A youth conference is a formal process, and although not a conviction, is recorded on a person's criminal record for a period of 30 months.
- *'Other' diversionary options* include referrals to the NI Driver Improvement Scheme or to a Community Restorative Justice Scheme.
- It should be noted that diversionary options are only available to prosecutors if the defendant admits that he/she has committed the offence and agrees to accept and participate in the diversionary option.
- *A decision for no prosecution* will be taken if the prosecutor decides that in any case being considered there is insufficient evidence or that it is not in the public interest to prosecute (see note regarding the Test for Prosecution below).

**Table 3b**

Prosecutions are initiated where the prosecutor is satisfied that the Test for Prosecution is met. There are two aspects to the Test:

- a) Whether the evidence which can be offered in court is sufficient to provide a reasonable prospect of conviction (the evidential test); and
- b) Whether prosecution is required in the public interest (the public interest test).

Each of these stages must be separately considered but a decision whether or not a prosecution is in the public interest can only arise when the evidential test has been satisfied.

**Table 3c**

As mentioned in note to Table 3a, more than one prosecutorial decision may be recorded against any individual within a case. Therefore these figures are based on the first decision issued. Monitoring covers the period in calendar days from date initial papers (charge cases only) or full file is received by the PPS to the date the prosecutorial decision is issued. This excludes defendants for whom a warrant has been issued but includes any time taken for police to respond to decision information requests (see note to Table 2 above). Average days for indictable prosecution decisions include the time taken for the prosecutor's decision and for case preparation (i.e. where appropriate, ensuring that the case is

ready for court). In indictable cases case preparation includes time required for the preparation of committal papers which contain the evidence, such as statements, exhibits etc., to be presented to the Crown Court. It may also include consideration of duties of disclosure by the prosecutor and applications to be made to the court.

#### **Table 4**

Information refers to police cases only. A summons may be served on a defendant either by post, or via a personal summons served by the police. The defendant will be required to attend court on the date stated on the summons. Following the commencement of Rule 2(6) of the Magistrates' Courts (Amendment No. 2) Rules 2009, in early 2010, the large majority of offences can now be dealt with by way of a postal summons. The only exceptions relate to corporate defendants, vulnerable defendants and those defendants who have not responded to a postal summons.

More than one summons may be issued in respect of an individual defendant in a case. For example, if the defendant does not attend court on the day stated on an initial postal summons, this will generally be followed up by a personal summons served by police.

#### **Table 5a**

Includes all defendants dealt with in the Crown Court during the period, based on results data supplied by the Northern Ireland Courts and Tribunals Service (via the Causeway Data Sharing Mechanism). Proceedings in the Crown Court generally follow the issue of a decision by PPS to prosecute on indictment. The category 'acquitted' includes the following outcomes: acquittals, acquittals by direction, No Bills, no evidence offered – defendant acquitted, left on books, proceedings stayed, unfit to plead – but found that he/she did not do the act, no case to answer - granted. 'Other' Includes defendant deceased, withdrawal – all charges, bound over for not having shown cause, bound over where charge withdrawn, withdrawn due to diversionary route. It should be noted that if an individual is involved in more than one case which is resulted during this period, they will be counted as a separate defendant on each occasion.

#### **Table 5b**

Includes all defendants dealt with in the Magistrates' and Youth Courts during the period, based on results data supplied by the Northern Ireland Courts and Tribunals Service (via the Causeway Data Sharing Mechanism). Data reflect the number of persons where PPS has taken a decision to prosecute summarily; i.e. defendants against whom charges were withdrawn prior to decision are excluded. The category 'acquitted' includes the following outcomes: dismissed; no case to answer granted; and proceedings stayed. 'Other' includes: defendant deceased; withdrawal – all charges; bound over for not having shown cause; bound over where charge withdrawn; withdrawn due to diversionary route. Excludes persons returned for trial in the Crown Court. It should be noted that if an individual is involved in more than one case which is resulted during this period, they will be counted as a separate defendant on each occasion.

#### **Tables 5a and 5b**

Conviction rates are calculated on the basis of the number of persons convicted as a percentage of all persons dealt with during the period.

The Department of Justice publish conviction data on an annual basis; however this may not be directly comparable with data included in this report due to variations in data quality validations and counting rules.

## **User Information**

### **Data sources and validations**

The information presented in this bulletin is derived from the Case Management System (CMS), the main operational system in use within the PPS. This is a 'live' system with data being input on a daily basis.

It should be noted that the CMS is also linked to the CJSNI's Causeway data sharing mechanism. The first phase of Causeway ('DSM 0'), introduced in 2005/06, allowed police to submit files to the PPS electronically. The most recent phase ('DSM 1') was launched at the end of November 2009 and broadened the portfolio of information shared electronically. For example PPS are now supplied with court results by the Northern Ireland Courts and Tribunals Service which feed into the PPS Case Management System via Causeway.

The information is extracted using Business Objects. It is then validated and quality assured to ensure that the data is reliable and robust for use. Any inconsistencies are reported back to operational staff or to the PPS Information and Communications Technology Branch. If required, any necessary amendments are then made to the data.

All statistics for the current financial year are provisional and may be subject to change.

### **Rounding conventions**

Percentages have been rounded to whole numbers or to one decimal place and may not always sum to 100%.

### **Official Statistics**

These are 'Official Statistics' as defined in Section 6 of the Statistics and Registration Services Act 2007. Statisticians from the Northern Ireland Statistics and Research Agency are seconded to the PPS and are responsible for ensuring that the statistics produced comply with the Code of Practice for Official Statistics.

The PPS would value any feedback on this report and welcome recommendations on the future addition of data that may be of interest to readers. Contact details are provided overleaf.

### **Future publications**

The next Statistical Bulletin, covering the period 1 April 2016 to 30 September 2016, will be published on 17<sup>th</sup> November 2016.

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