

██████████
Email: ██████████

Our ref: 1155/18-19
3 October 2018

Dear ██████████

I refer to your email dated 6 September 2018 in which you requested statistics relating to The Sexual Offences (Northern Ireland) Order 2008.

This request has been dealt with under the terms of the Freedom of Information Act 2000.

Freedom of Information Act 2000

The Freedom of Information Act creates rights of access for any person making a request for information to a public authority. The rights of access are twofold. First, to be informed by the public authority if it holds information of the description specified in the request, and if that is the case, secondly, to be provided with that information. These rights are subject to important limitations, which are designed to achieve a proper balance between the right to know and considerations of law and policy in the broader public interest.

You had asked the following;

"Can the PPS please provide details of how many people have been prosecuted and how many successful convictions under Section 32 and 33 of the Sexual Offences (Northern Ireland) Order 2008 there have been in each of the last three years (or from 2008 when the Order was introduced)?"

In response please see attached Table 1 detailing prosecution decisions issued by the PPS in respect of offences under the Sexual Offences (Northern Ireland Order) 2008. Decision data have been provided from 2010, the earliest year for which statistics are available.

Table 2 details the overall outcomes in the Crown Court for defendants dealt with in respect of offences under the 2008 Order. Data in respect of court outcomes are available for the period from 1 April 2012 to 30 June 2018 only. No defendants were dealt with in the Magistrates' Court over this period.

A list of all of the offences considered is also provided.

If you are dissatisfied in any way with the handling of your request under the Freedom of Information Act you have the right to request a review in accordance with our review procedure. In the event that you require a review

to be undertaken, you should do this as soon as possible or in any case within two months of the date of this response by writing to the Head of Policy and Information, Public Prosecution Service, Belfast Chambers, 93 Chichester Street, Belfast BT1 3JR or alternatively by sending an e-mail to info@ppsni.gov.uk. You should state clearly the grounds on which you are requesting the review.

Alternatively, you may wish to apply directly to the Information Commissioner for a decision.

The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Yours sincerely,

A handwritten signature in dark ink, appearing to read 'David Gilmer', with a horizontal line extending from the end.

PPS FOI Section

Table 1:
Prosecution Decisions Issued in Relation to Requested Offences under the Sexual Offences (Northern Ireland Order) 2008*

Based on Most Serious Decision Issued Date

Year	Indictable Prosecution	Summary Prosecution
2010	-	-
2011	-	-
2012	-	-
2013	3	-
2014	-	-
2015	-	-
2016	-	-
2017	-	-
2018 (up to 9th September)	3	-
Total	16	1

"-" refers to a count of less than 3 and which cannot be provided to prevent the potential identification of individuals.

* For offences included please see Table 3.

Table 2:
Crown Court - Overall Outcomes for Defendants Dealt with between 01/04/12 and 30/06/18 in Respect of Offences under the Sexual Offences (Northern Ireland Order) 2008*

Based on Indictable Disposal Date

Year	PLEA OF GUILTY ON ALL CHARGES	FOUND GUILTY ON AT LEAST ONE CHARGE	ACQUITTED ON ALL CHARGES	Total
2012 (from 01 April)			1	1
2013	1	2		3
2014	1	1		2
2015		1	1	2
2017		1		1
2018 (up to 30 June)		1		1
Total	2	6	2	10

Note: Cases in respect of a further 2 defendants are ongoing at court.

* For offences included please see Table 3.

Table 3:
Offences Considered

Decision Offence Code Description	Decision Offence Legislation
ADULT INCITING CHILD FAMILY MEMBER TO ENGAGE IN SEXUAL ACTIVITY	Article 33 of the Sexual Offences (Northern Ireland) Order 2008
ADULT INCITING CHILD FAMILY MEMBER TO ENGAGE IN SEXUAL ACTIVITY WITH PENETRATION	Article 33 of the Sexual Offences (Northern Ireland) Order 2008
NON-ADULT INCITING CHILD FAMILY MEMBER TO ENGAGE IN SEXUAL ACTIVITY	Article 33 of the Sexual Offences (Northern Ireland) Order 2008
SEXUAL ACTIVITY WITH A CHILD FAMILY MEMBER INVOLVING PENETRATION	Article 32(1) of the Sexual Offences (Northern Ireland) Order 2008
SEXUAL ACTIVITY WITH A CHILD FAMILY MEMBER (NON-PENETRATIVE)	Article 32(1) of the Sexual Offences (Northern Ireland) Order 2008