

Public Prosecution Service for Northern Ireland

Statistical Bulletin

Quarters 1-3 2012/13

(April to December 2012)



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Note:

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

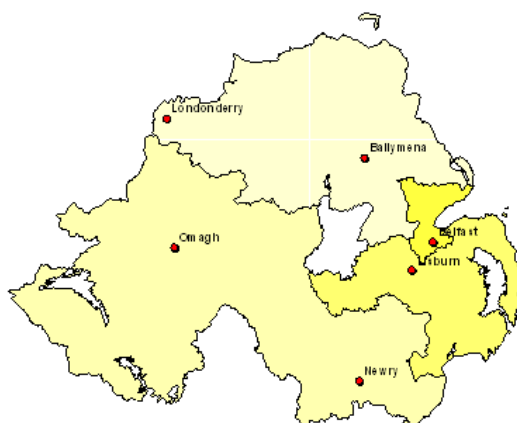
Introduction

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 Office Locations



The PPS is a regionally based organisation. There are four regions, each of which is headed by a Regional Prosecutor. The Regional Prosecutor has overall responsibility for decisions as to prosecution in that region, with the exception of those cases which are considered by prosecutors in Headquarters. Headquarters Sections deal with specialised areas of work and include Central Prosecutions, Fraud and Departmental Prosecutions, Policy Section and High Court and International Matters.

About this Bulletin

This bulletin presents key statistics on the activity of the PPS, including caseloads and prosecutorial decisions. It provides information for the first nine months of the 2012-13 financial year (i.e. 1 April to 31 December 2012) and includes comparisons for the equivalent period in 2011-12. 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 18.

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Summary of Key Points

Figures quoted are for the first nine months of the financial year, 1 April to 31 December 2012, unless otherwise stated. This summary should be read together with the explanatory notes provided (see pages 15 -17).

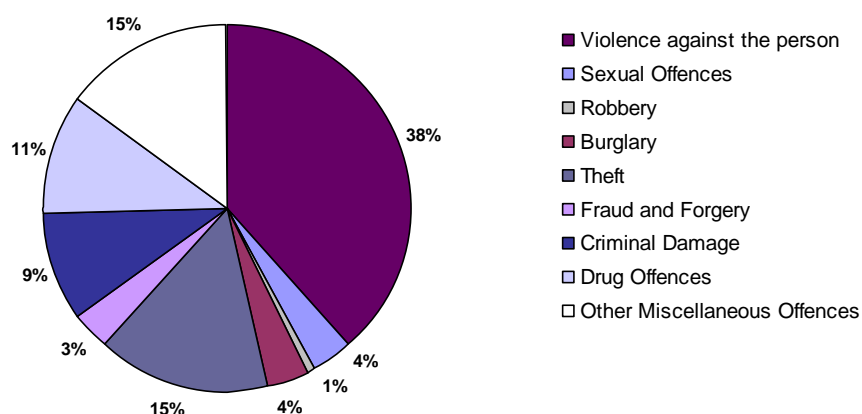
Files Received by File Type and PPS Region / Function (Table 1a)

- The PPS received 38,287 files during the first three quarters of the financial year. This was a decrease of 3.8% on the corresponding period of 2011-12 (39,779). In particular, the number of indictable files received fell by 14.1%.
- Half (50%) of all files received during the current period related to summary offences, 45% to hybrid offences and the remaining 5% to indictable offences.

Files Received from Police by Recorded Crime Offence Group (Table 1b)

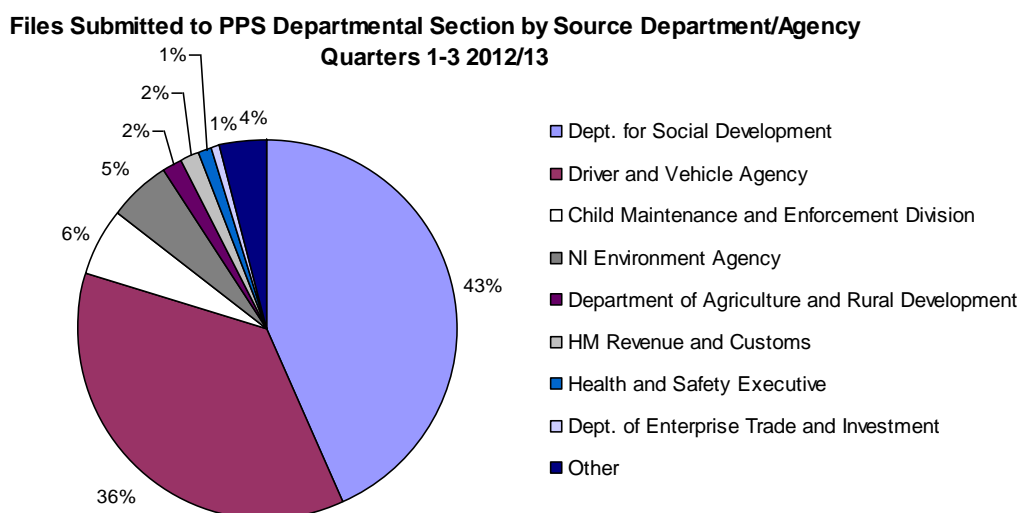
- During the first three quarters of 2012-13, PPS received a total of 36,999 files from police. This was a 3.1% decrease on corresponding period of 2011-12 (38,197). The number of files relating to recorded ('notifiable') offences decreased by 3.8%, and the number of files relating to other ('non-notifiable') offences decreased by 1.8%.
- In terms of files received by recorded crime offence group, almost seven tenths fell into three categories; 'violence against the person' (38%), 'theft' (15%) and 'other miscellaneous offences' (15%).
- All recorded crime offence groups, with the exception of drug offences and fraud and forgery, have shown a reduction in the number of files received compared with the corresponding nine months of 2011-12.

**Files Received from Police (notifiable offences) by Recorded Crime Offence Group
Quarters 1-3 2012-13**



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

- One thousand and eighty two files were submitted to PPS Departmental Section by departments and agencies during the first three quarters of the financial year, representing a 20.3% decrease on the equivalent period in 2011-12 (1,357).
- During the current period, almost four-fifths of the files were submitted either by the Department for Social Development (43%) or the Driver and Vehicle Agency (36%).



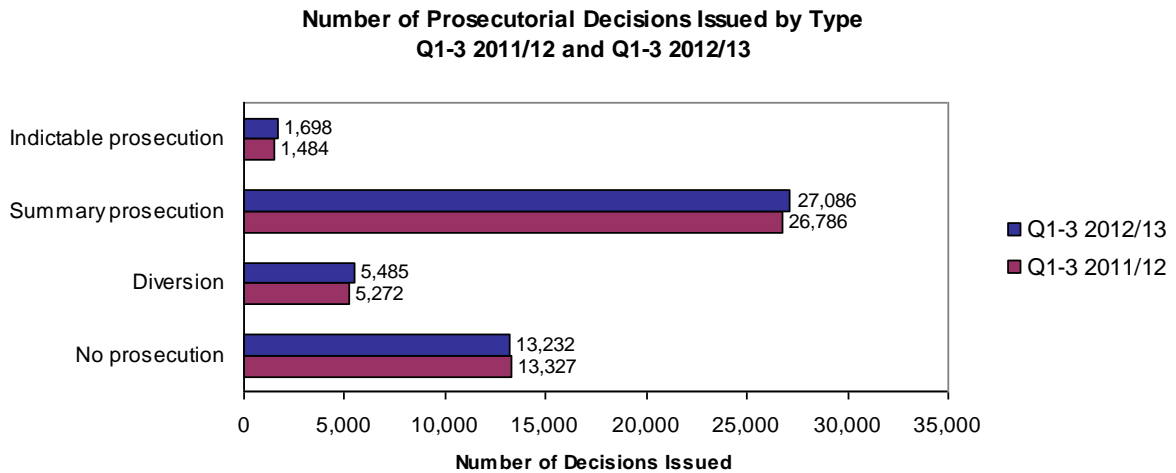
Information Requests Submitted to Police by Request Type and PPS Region / Function (Table 2)

- A total of 19,136 information requests were submitted to police during the first three quarters of the financial year, a decrease of 2.4% on the corresponding period of 2011-12 (19,598).
- Fifty-nine percent of all requests submitted during the current period were 'Post Decision Information Requests', 28% were 'Decision Information Requests' and 13% were 'Full File Requests'.

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

- During the first three quarters of 2012-13, 47,501 prosecutorial decisions were issued by the PPS. This was a marginal increase of 1.3% on the total issued during the equivalent period of 2011-12 (46,869).
- The evidential Test for Prosecution was met in the majority of cases considered by public prosecutors during the first three quarters of 2012-13. Of the 47,501 decisions issued, just over seven tenths (72%) were issued with a decision for prosecution (28,784) or for diversion from the courts (5,485). This was the same as the equivalent period in 2011-12 (72%).
- Comparing the first three quarters of 2011-12 and 2012-13, there was an increase of 1.8% in the number of decisions to prosecute. This included a 14.4% increase in the

number of indictable prosecution decisions issued, with a smaller rise in summary prosecution decisions (1.1%). There was also a 4.0% increase in the numbers of diversionary decisions while no prosecution decisions fell by 0.7%.



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

- Of the 13,232 no prosecution decisions issued during the first three quarters of this financial year, the vast majority (95%) did not pass the evidential test. The remaining 5% did not pass the public interest test. These percentages remained unchanged from the corresponding period in 2011-12.

Average Days Required 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 three quarters of this financial year was 215, an increase on the equivalent period in 2011-12 (179 days).
- During the current period, summary prosecution decisions required an average of 30 days. This was similar to the first three quarters of 2011-12 (27 days).
- The time taken for diversionary decisions varied according to the type of diversion issued, with cautions requiring an average of 19 days, informed warnings 14 days and youth conferences 22 days.

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

- A total of 26,895 summonses were issued in police cases during the first three quarters of this financial year, a decrease of 3.4% on the corresponding period of 2011-12. The number of summonses issued via personal service experienced a greater decline than those issued by post, 9.2% and 0.2% respectively.
- Two thirds (67%) of summonses issued during this period were served on the defendant by post and the remainder via personal service by police.

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

Quarters 1-3 2011/12 and Quarters 1-3 2012/13 ¹

		PPS Region / Function ²						Number of files
Quarters	File Type ³	Belfast	Eastern	Northern	Western and Southern	Headquarters	All PPS	
		Number	Number	Number	Number	Number	Number	
Q1-3 2012/13	Indictable	550	371	428	365	20	1,734	
	Hybrid	5,227	3,617	4,096	3,833	588	17,361	
	Summary	4,773	4,162	4,549	5,201	507	19,192	
	All Files	10,550	8,150	9,073	9,399	1,115	38,287	
Q1-3 2011/12	Indictable	664	428	484	405	37	2,018	
	Hybrid	5,285	4,096	3,822	4,103	685	17,991	
	Summary	4,757	4,406	4,404	5,491	712	19,770	
	All Files	10,706	8,930	8,710	9,999	1,434	39,779	
% Change (Files Received) 2011/12 to 2012/13		-1.5%	-8.7%	4.2%	-6.0%	-22.2%	-3.8%	

¹ 'Quarter' refers to the financial year; i.e. Quarters 1-3 (Q1-3) reflect the period from 1 April to 31 December.

² Headquarters Sections deal with specialist work and include Central Prosecutions, Fraud and Departmental Prosecutions, Policy and High Court and International Matters.

³ See explanatory notes, page 15.

Table 1b: Files Received from Police by Recorded Crime Offence Group

Quarters 1-3 2011/12 and Quarters 1-3 2012/13 ¹

Recorded Crime Offence Group ²	Number of files					
	Q1-3 2012/13		Q1-3 2011/12		Change (2011/12 to 2012/13)	
	Number	% Share	Number	% Share	Number	% Change
Violence against the person	9,347	38.2%	10,068	39.6%	-721	-7.2%
Sexual offences	908	3.7%	994	3.9%	-86	-8.7%
Robbery	173	0.7%	209	0.8%	-36	-17.2%
Burglary	940	3.8%	973	3.8%	-33	-3.4%
Theft	3,704	15.1%	3,916	15.4%	-212	-5.4%
Fraud and forgery	822	3.4%	757	3.0%	65	8.6%
Criminal damage	2,299	9.4%	2,580	10.1%	-281	-10.9%
Drug offences	2,573	10.5%	2,044	8.0%	529	25.9%
Other Miscellaneous offences	3,689	15.1%	3,887	15.3%	-198	-5.1%
All Recorded Crime Files	24,455		25,428		-973	-3.8%
Other files (Non-notifiable offences)	12,544		12,769		-225	-1.8%
All Files	36,999		38,197		-1,198	-3.1%

¹ 'Quarter' refers to the financial year; i.e. Quarters 1-3 (Q1-3) reflect the period from 1 April to 31 December.

² See explanatory notes, page 15.

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

Quarters 1-3 2011/12 and Quarters 1-3 2012/13 ¹

Department / Agency	Number of files					
	Q1-3 2012/13		Q1-3 2011/12		Change (2011/12 to 2012/13)	
	Number	% Share	Number	% Share	Number	% Change
Dept. for Social Development	469	43.3%	488	36.0%	-19	-3.9%
Driver and Vehicle Agency	394	36.4%	581	42.8%	-187	-32.2%
NI Environment Agency	57	5.3%	83	6.1%	-26	-31.3%
Child Maintenance and Enforcement Division	62	5.7%	58	4.3%	4	6.9%
Department of Agriculture and Rural Development	20	1.8%	50	3.7%	-30	-60.0%
HM Revenue and Customs	17	1.6%	13	1.0%	4	30.8%
Health and Safety Executive	12	1.1%	9	0.7%	3	33.3%
Dept. of Enterprise Trade and Investment	8	0.7%	15	1.1%	-7	-46.7%
Other	43	4.0%	60	4.4%	-17	-28.3%
All Departments / Agencies	1,082		1,357		-275	-20.3%

¹ 'Quarter' refers to the financial year; i.e. Quarters 1-3 (Q1-3) reflect the period from 1 April to 31 December.

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

Quarters 1-3 2011/12 and Quarters 1-3 2012/13 ¹

		PPS Region / Function ²						Number of requests
		Belfast	Eastern	Northern	Western and Southern	Headquarters	All PPS	
Quarters	Request Type ³	Number	Number	Number	Number	Number	Number	
Q1-3 2012/13	Full File Request	682	543	482	807	10	2,524	
	Decision Information Request	1,559	840	1,864	960	43	5,266	
	Post Decision Information Request	4,198	2,043	2,359	2,678	8	11,286	
	No Decision	8	16	3	32	1	60	
	All Requests Submitted	6,447	3,442	4,708	4,477	62	19,136	
Q1-3 2011/12	Full File Request	776	585	638	997	41	3,037	
	Decision Information Request	1,605	1,010	1,905	981	31	5,532	
	Post Decision Information Request	4,042	2,125	2,273	2,557	3	11,000	
	No Decision	4	13	3	9	0	29	
	All Requests Submitted	6,427	3,733	4,819	4,544	75	19,598	
% Change (Requests Submitted) 2011/12 to 2012/13		0.3%	-7.8%	-2.3%	-1.5%	-17.3%	-2.4%	

¹ 'Quarter' refers to the financial year; i.e. Quarters 1-3 (Q1-3) reflect the period from 1 April to 31 December.

² Headquarters Sections deal with specialist work and include Central Prosecutions, Fraud and Departmental Prosecutions, Policy and High Court and International Matters.

³ See explanatory notes, page 15.

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

Quarters 1-3 2011/12 and Quarters 1-3 2012/13 ¹

			Number of persons (decisions issued)					
			PPS Region / Function ²					
			Belfast	Eastern	Northern	Western and Southern	Headquarters	All PPS
Quarters	Type of Decision ³		Number	Number	Number	Number	Number	Number
Q1-3 2012/13	Prosecution	Indictable prosecution	533	321	352	351	141	1,698
		Summary prosecution	7,810	5,317	5,958	7,042	959	27,086
	Diversion	Caution	1,062	966	1,103	1,068	3	4,202
		Informed warning	216	171	210	96	0	693
		Youth conference	63	80	111	83	0	337
		Other	60	32	112	49	0	253
	No Prosecution		3,738	3,190	2,878	3,255	171	13,232
	All Decisions Issued		13,482	10,077	10,724	11,944	1,274	47,501
Q1-3 2011/12	Prosecution	Indictable prosecution	459	315	273	327	110	1,484
		Summary prosecution	7,283	5,672	5,864	6,854	1,113	26,786
	Diversion	Caution	1,063	1,029	962	963	1	4,018
		Informed warning	242	203	191	104	0	740
		Youth conference	74	96	79	88	0	337
		Other	41	23	85	28	0	177
	No Prosecution		3,349	3,477	2,987	3,301	213	13,327
	All Decisions Issued		12,511	10,815	10,441	11,665	1,437	46,869
% Change (Decisions Issued) 2011/12 to 2012/13			7.8%	-6.8%	2.7%	2.4%	-11.3%	1.3%

¹ 'Quarter' refers to the financial year; i.e. Quarters 1-3 (Q1-3) reflect the period from 1 April to 31 December.

² Headquarters Sections deal with specialist work and include Central Prosecutions, Fraud and Departmental Prosecutions, Policy and High Court and International Matters.

³ See explanatory notes, page 16.

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

Quarters 1-3 2011/12 and Quarters 1-3 2012/13 ¹

		PPS Region / Function ²						Number of persons (decisions issued)
		Belfast	Eastern	Northern	Western and Southern	Headquarters	All PPS	
Quarters	Reason for no prosecution ³	Number	Number	Number	Number	Number	Number	
Q1-3 2012/13	Did not pass the evidential test	3,498	2,985	2,767	3,145	168	12,563	
	Did not pass the public interest test	240	205	111	110	3	669	
	All no prosecution decisions	3,738	3,190	2,878	3,255	171	13,232	
Q1-3 2011/12	Did not pass the evidential test	3,081	3,307	2,887	3,170	186	12,631	
	Did not pass the public interest test	268	170	100	131	27	696	
	All no prosecution decisions	3,349	3,477	2,987	3,301	213	13,327	
% Change (No prosecution decisions issued) 2011/12 to 2012/13		11.6%	-8.3%	-3.6%	-1.4%	-19.7%	-0.7%	

¹ 'Quarter' refers to the financial year; i.e. Quarters 1-3 (Q1-3) reflect the period from 1 April to 31 December.

² Headquarters Sections deal with specialist work and include Central Prosecutions, Fraud and Departmental Prosecutions, Policy and High Court and International Matters.

³ See explanatory notes, page 16.

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

Quarters 1-3 2011/12 and Quarters 1-3 2012/13 ¹

			Average (calendar) days
Quarters	Type of Decision ²		All Regions
Q1-3 2012/13	Prosecution	Indictable prosecution	215
		Summary prosecution	30
	Diversion	Caution	19
		Informed warning	14
		Youth conference	22
		Other	29
	No Prosecution		54
Q1-3 2011/12	Prosecution	Indictable prosecution	179
		Summary prosecution	27
	Diversion	Caution	16
		Informed warning	9
		Youth conference	14
		Other	22
	No Prosecution		49

¹ 'Quarter' refers to the financial year; i.e. Quarters 1-3 (Q1-3) reflect the period from 1 April to 31 December.

² Average days includes time taken for police to respond to decision information requests (see explanatory notes, page 16).

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

Quarters 1-3 2011/12 and Quarters 1-3 2012/13 ¹

		PPS Region					Number of summonses
		Belfast	Eastern	Northern	Western and Southern	All Regions	
Quarters	Service Method ²	Number	Number	Number	Number	Number	
Q1-3 2012/13	Postal Service	5,624	3,662	3,691	4,966	17,943	
	Personal Service	4,713	1,332	1,389	1,518	8,952	
	All Summonses	10,337	4,994	5,080	6,484	26,895	
Q1-3 2011/12	Postal Service	5,298	4,417	3,584	4,683	17,982	
	Personal Service	4,249	2,122	1,424	2,063	9,858	
	All Summonses	9,547	6,539	5,008	6,746	27,840	
% Change (Summonses Issued) 2011/12 to 2012/13		8.3%	-23.6%	1.4%	-3.9%	-3.4%	

¹ 'Quarter' refers to the financial year; i.e. Quarters 1-3 (Q1-3) reflect the period from 1 April to 31 December.

² See explanatory notes, page 17.

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 classification used reflects the Home Office Recorded Crime Offence Categories. Recorded crime figures (sometimes referred to as 'notifiable' offences) detail those crimes and offences, including attempts, recorded by the police, which are deemed to be indictable, or triable-either-way (hybrid). Certain closely associated summary offences are also counted in the recorded crime figures.

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 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.

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 and as a consequence some percentages may not 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 full financial year (1 April 2012 to 31 March 2013), will be published on 20 June 2013.

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