

Public Prosecution Service for Northern Ireland

Statistical Bulletin

Quarters 1-2 2012/13

(April to September 2012)



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Note:

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

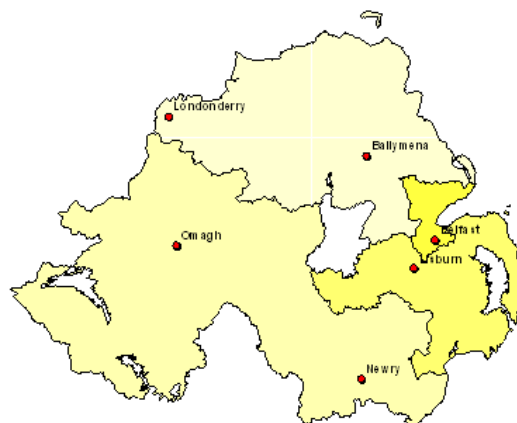
Introduction

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 six months of the 2012-13 financial year (i.e. 1 April to 30 September 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.

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

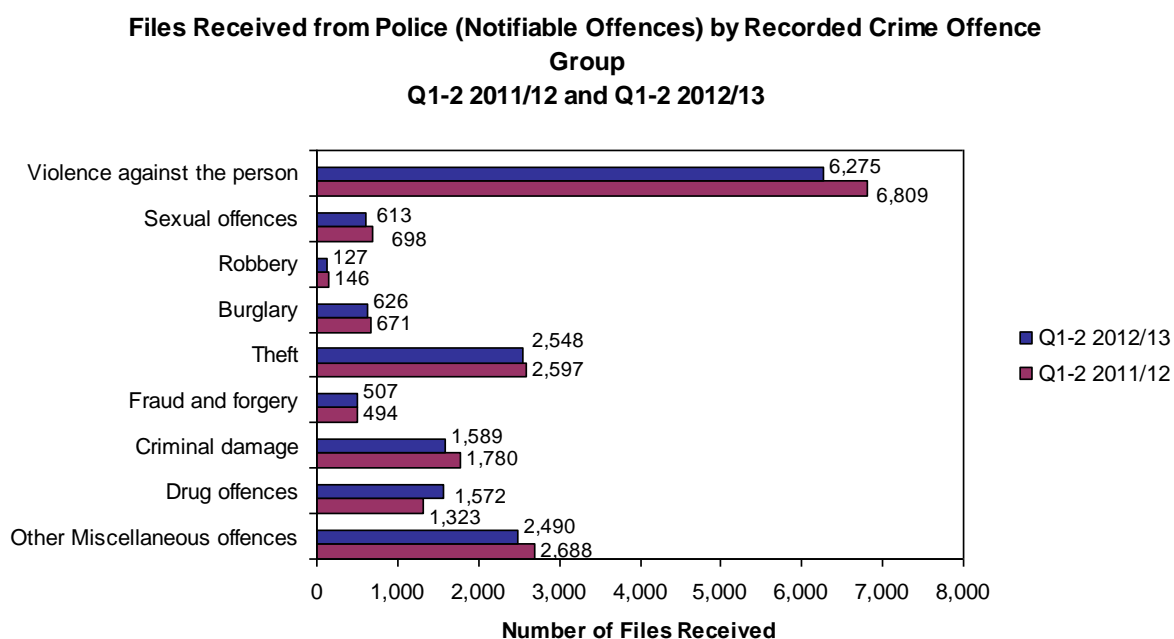
Figures quoted are for the first six months of the financial year, 1 April to 30 September 2012, unless otherwise stated. This summary should be read together with the explanatory notes provided (see pages 15 -17).

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

- The PPS received 25,938 files during the first half of the financial year. This was a decrease of 3.3% on the corresponding period of 2011-12 (26,823). In particular, the number of indictable files received fell by 15.9%.
- Approximately half (51%) 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)

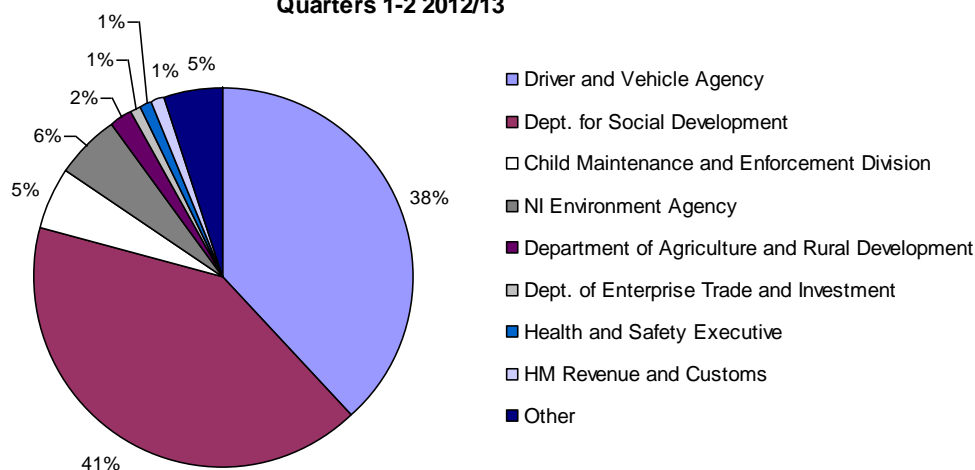
- During the first half of 2012-13, PPS received a total of 24,983 files from police. This was a 3.1% decrease on the first half of 2011-12 (25,780). While the number of files relating to recorded ('notifiable') offences decreased by 5.0%, the number of files relating to other ('non-notifiable') offences marginally increased by 0.7%.
- In terms of files received by recorded crime offence group, nearly seven tenths fell into three categories; 'violence against the person' (38%), 'theft' (16%) 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 six months of 2011-12.



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

- Eight hundred and eleven files were submitted to PPS Departmental Section by departments and agencies during the first half of the financial year, representing a 10.4% decrease on the equivalent period in 2011-12 (905).
- During the current period, almost four-fifths of the files were submitted either by the Department for Social Development (41%) or the Driver and Vehicle Agency (38%).

**Files Submitted to PPS Departmental Section by Source Department/Agency
Quarters 1-2 2012/13**



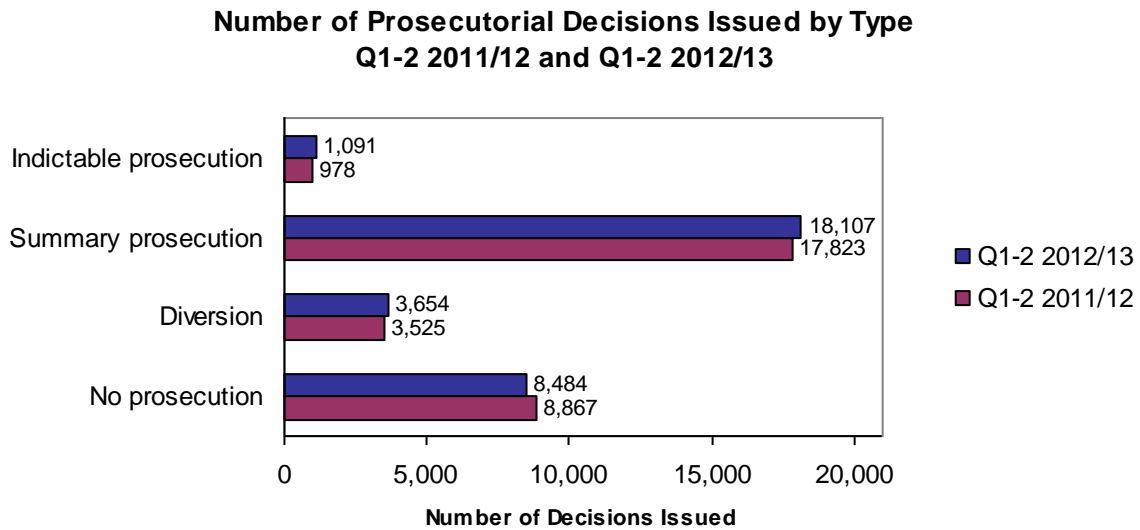
Information Requests Submitted to Police by Request Type and PPS Region / Function (Table 2)

- A total of 12,426 information requests were submitted to police during the first half of the financial year, a decrease of 5.5% on the corresponding period of 2011-12 (13,147).
- Fifty-nine percent of all requests submitted during the current period were 'Post Decision Information Requests', 27% 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 half of 2012-13, 31,336 prosecutorial decisions were issued by the PPS. This was similar to the total issued during the first half of 2011-12 (31,193).
- The evidential Test for Prosecution was met in the majority of cases considered by public prosecutors during the first half of 2012-13. Of the 31,336 decisions issued, almost three-quarters (73%) were issued with a decision for prosecution (19,198) or for diversion from the courts (3,654). This was marginally higher than the equivalent period in 2011-12 (72%).
- Comparing the first halves of 2011-12 and 2012-13, there was an increase of 2.1% in the number of decisions to prosecute. This included an 11.6% increase in the number of indictable prosecution decisions issued, with a smaller rise in summary prosecution

decisions (1.6%). There was also a 3.7% increase in the numbers of diversionary decisions while no prosecution decisions fell by 4.3%.



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

- Of the 8,484 no prosecution decisions issued during the first half 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 half of this financial year was 228, an increase on the equivalent period in 2011-12 (178 days).
- During the current period, summary prosecution decisions required an average of 29 days. This was similar to the first half of 2011-12 (26 days).
- The time taken for diversionary decisions varied according to the type of diversion issued, with cautions requiring an average of 20 days, informed warnings 15 days and youth conferences 21 days.

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

- A total of 18,008 summonses were issued in police cases during the first half of this financial year, a decrease of 8.4% on the first half of 2011-12. The number of summonses issued via personal service experienced a greater decline than those issued by post, 15.2% and 4.1% respectively.
- Sixty-five percent 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 1-2 2011/12 and Quarters 1-2 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	
Q1-2 2012/13	Indictable	382	260	284	246	13	1,185	
	Hybrid	3,623	2,344	2,663	2,521	420	11,571	
	Summary	3,287	2,818	3,030	3,649	398	13,182	
	All Files	7,292	5,422	5,977	6,416	831	25,938	
Q1-2 2011/12	Indictable	456	308	344	267	34	1,409	
	Hybrid	3,528	2,789	2,592	2,753	443	12,105	
	Summary	3,101	2,983	2,969	3,760	496	13,309	
	All Files	7,085	6,080	5,905	6,780	973	26,823	
% Change (Files Received) 2011/12 to 2012/13		2.9%	-10.8%	1.2%	-5.4%	-14.6%	-3.3%	

¹ 'Quarter' refers to the financial year; i.e. Quarters 1-2 (Q1-2) reflect the period from 1 April to 30 September.

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 1-2 2011/12 and Quarters 1-2 2012/13 ¹

Recorded Crime Offence Group ²	Number of files					
	Q1-2 2012/13		Q1-2 2011/12		Change (2011/12 to 2012/13)	
	Number	% Share	Number	% Share	Number	% Change
Violence against the person	6,275	38.4%	6,809	39.6%	-534	-7.8%
Sexual offences	613	3.8%	698	4.1%	-85	-12.2%
Robbery	127	0.8%	146	0.9%	-19	-13.0%
Burglary	626	3.8%	671	3.9%	-45	-6.7%
Theft	2,548	15.6%	2,597	15.1%	-49	-1.9%
Fraud and forgery	507	3.1%	494	2.9%	13	2.6%
Criminal damage	1,589	9.7%	1,780	10.4%	-191	-10.7%
Drug offences	1,572	9.6%	1,323	7.7%	249	18.8%
Other Miscellaneous offences	2,490	15.2%	2,688	15.6%	-198	-7.4%
All Recorded Crime Files	16,347	100.0%	17,206	100.0%	-859	-5.0%
Other files (Non-notifiable offences)	8,636		8,574		62	0.7%
All Files	24,983		25,780		-797	-3.1%

¹ 'Quarter' refers to the financial year; i.e. Quarters 1-2 (Q1-2) reflect the period from 1 April to 30 September.

² See explanatory notes, page 15.

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

Quarters 1-2 2011/12 and Quarters 1-2 2012/13 ¹

Department / Agency	Number of files					
	Q1-2 2012/13		Q1-2 2011/12		Change (2011/12 to 2012/13)	
	Number	% Share	Number	% Share	Number	% Change
Dept. for Social Development	334	41.2%	303	33.5%	31	10.2%
Driver and Vehicle Agency	308	38.0%	426	47.1%	-118	-27.7%
NI Environment Agency	45	5.5%	54	6.0%	-9	-16.7%
Child Maintenance and Enforcement Division	42	5.2%	43	4.8%	-1	-2.3%
Department of Agriculture and Rural Development	17	2.1%	34	3.8%	-17	-50.0%
HM Revenue and Customs	10	1.2%	8	0.9%	2	25.0%
Health and Safety Executive	8	1.0%	5	0.6%	3	60.0%
Dept. of Enterprise Trade and Investment	7	0.9%	12	1.3%	-5	-41.7%
Other	40	4.9%	20	2.2%	20	100.0%
All Departments / Agencies	811		905		-94	-10.4%

¹ 'Quarter' refers to the financial year; i.e. Quarters 1-2 (Q1-2) reflect the period from 1 April to 30 September.

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

Quarters 1-2 2011/12 and Quarters 1-2 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	
Q1-2 2012/13	Full File Request	507	342	323	564	6	1,742	
	Decision Information Request	1,045	484	1,188	578	25	3,320	
	Post Decision Information Request	2,708	1,368	1,540	1,699	8	7,323	
	No Decision	6	15	1	19		41	
	All Requests Submitted	4,266	2,209	3,052	2,860	39	12,426	
Q1-2 2011/12	Full File Request	505	421	462	685	36	2,109	
	Decision Information Request	1,031	709	1,237	615	19	3,611	
	Post Decision Information Request	2,773	1,480	1,477	1,680	2	7,412	
	No Decision	2	7	2	4		15	
	All Requests Submitted	4,311	2,617	3,178	2,984	57	13,147	
% Change (Requests Submitted) 2011/12 to 2012/13		-1.0%	-15.6%	-4.0%	-4.2%	-31.6%	-5.5%	

¹ 'Quarter' refers to the financial year; i.e. Quarters 1-2 (Q1-2) reflect the period from 1 April to 30 September.

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 1-2 2011/12 and Quarters 1-2 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
Q1-2 2012/13	Prosecution	Indictable prosecution	354	211	234	207	85	1,091
		Summary prosecution	4,915	3,546	4,055	4,871	720	18,107
	Diversion	Caution	678	639	773	689	0	2,779
		Informed warning	148	113	157	52	0	470
		Youth conference	44	65	62	50	0	221
		Other	40	25	86	33	0	184
		No Prosecution	2,204	2,167	1,971	2,017	125	8,484
	All Decisions Issued		8,383	6,766	7,338	7,919	930	31,336
Q1-2 2011/12	Prosecution	Indictable prosecution	326	225	158	207	62	978
		Summary prosecution	4,752	3,733	3,990	4,564	784	17,823
	Diversion	Caution	683	678	667	675	0	2,703
		Informed warning	151	133	142	64	0	490
		Youth conference	44	64	58	55	0	221
		Other	26	13	56	16	0	111
		No Prosecution	2,282	2,270	2,094	2,093	128	8,867
	All Decisions Issued		8,264	7,116	7,165	7,674	974	31,193
% Change (Decisions Issued) 2011/12 to 2012/13		1.4%	-4.9%	2.4%	3.2%	-4.5%	0.5%	

¹ 'Quarter' refers to the financial year; i.e. Quarters 1-2 (Q1-2) reflect the period from 1 April to 30 September.

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 1-2 2011/12 and Quarters 1-2 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	
Q1-2 2012/13	Did not pass the evidential test	2,053	2,040	1,897	1,953	123	8,066	
	Did not pass the public interest test	151	127	74	64	2	418	
	All no prosecution decisions	2,204	2,167	1,971	2,017	125	8,484	
Q1-2 2011/12	Did not pass the evidential test	2,098	2,157	2,021	1,998	118	8,392	
	Did not pass the public interest test	184	113	73	95	10	475	
	All no prosecution decisions	2,282	2,270	2,094	2,093	128	8,867	
% Change (No prosecution decisions issued) 2011/12 to 2012/13		-3.4%	-4.5%	-5.9%	-3.6%	-2.3%	-4.3%	

¹ 'Quarter' refers to the financial year; i.e. Quarters 1-2 (Q1-2) reflect the period from 1 April to 30 September.

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 1-2 2011/12 and Quarters 1-2 2012/13 ¹

			Average (calendar) days
Quarters	Type of Decision ²		All Regions
Q1-2 2012/13	Prosecution	Indictable prosecution	228
		Summary prosecution	29
	Diversion	Caution	20
		Informed warning	15
		Youth conference	21
		Other	34
	No Prosecution		52
Q1-2 2011/12	Prosecution	Indictable prosecution	178
		Summary prosecution	26
	Diversion	Caution	15
		Informed warning	9
		Youth conference	12
		Other	22
	No Prosecution		50

¹ 'Quarter' refers to the financial year; i.e. Quarters 1-2 (Q1-2) reflect the period from 1 April to 30 September.

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 1-2 2011/12 and Quarters 1-2 2012/13 ¹

		Number of summonses				
		PPS Region				
		Belfast	Eastern	Northern	Western and Southern	All Regions
Quarters	Service Method ²	Number	Number	Number	Number	Number
Q1-2 2012/13	Postal Service	3,250	2,310	2,612	3,482	11,654
	Personal Service	3,432	942	906	1,074	6,354
	All Summonses	6,682	3,252	3,518	4,556	18,008
Q1-2 2011/12	Postal Service	3,501	3,058	2,497	3,100	12,156
	Personal Service	3,538	1,493	962	1,503	7,496
	All Summonses	7,039	4,551	3,459	4,603	19,652
% Change (Summonses Issued) 2011/12 to 2012/13		-5.1%	-28.5%	1.7%	-1.0%	-8.4%

¹ 'Quarter' refers to the financial year; i.e. Quarters 1-2 (Q1-2) reflect the period from 1 April to 30 September.

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 period 1 April to 31 December, will be published on 14 February 2013.

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