

Public Prosecution Service for Northern Ireland

Statistical Bulletin

Quarter 1 2012-13

(April to June 2012)



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Note:

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

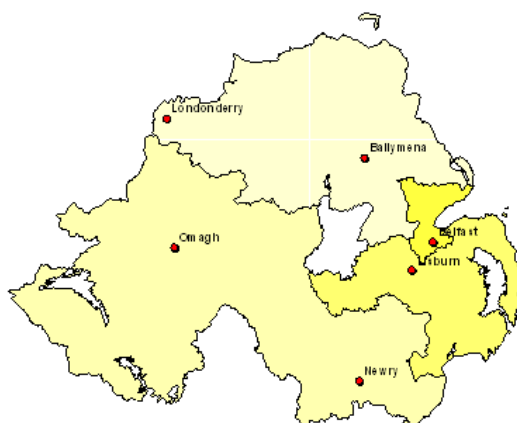
Introduction

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 three months of the 2012-13 financial year (i.e. 1 April to 30 June 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 current quarter, 1 April to 30 June 2012, unless otherwise stated. This summary should be read together with the explanatory notes provided (see pages 15 - 17).

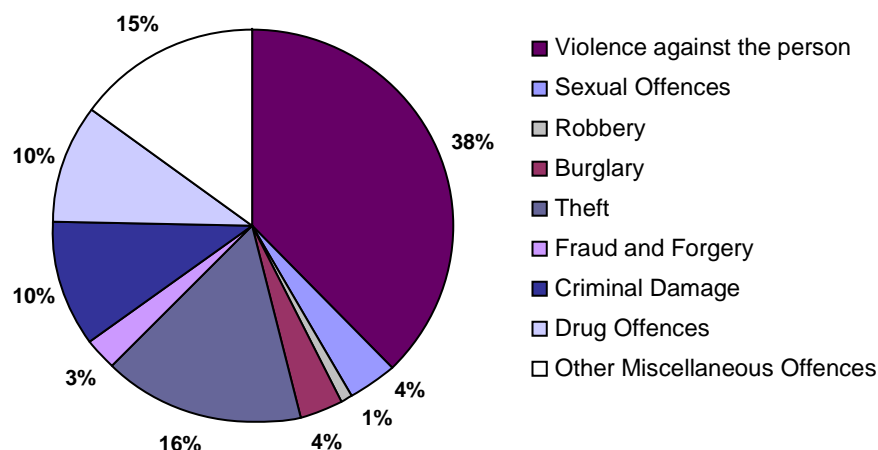
Files Received by File Type and PPS Region / Function (Table 1a)

- The PPS received 13,461 files during the first quarter of the financial year. This was broadly in line with the corresponding quarter of 2011-12 (13,556).
- Just over half (52%) of all files received during the current quarter related to summary offences, 44% to hybrid offences and the remaining 4% to indictable offences.

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

- During the first quarter of 2012-13, PPS received a total of 12,971 files from police. This was similar to the first quarter of 2011-12 (13,018). While the number of files relating to recorded ('notifiable') offences decreased by 2.7%, the number of files relating to other ('non-notifiable') offences rose by 4.1%.
- 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 burglary, theft and drug offences, have shown a reduction in the number of files received compared with the corresponding quarter of 2011-12.

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



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

- Four hundred and eleven files were submitted to PPS Departmental Section by departments and agencies during the first quarter of the financial year, representing a 12.6% decrease on the equivalent period in 2011-12 (470).
- During the current quarter, the majority of the files were submitted either by the Driver and Vehicle Agency (42%) or the Department for Social Development (37%).

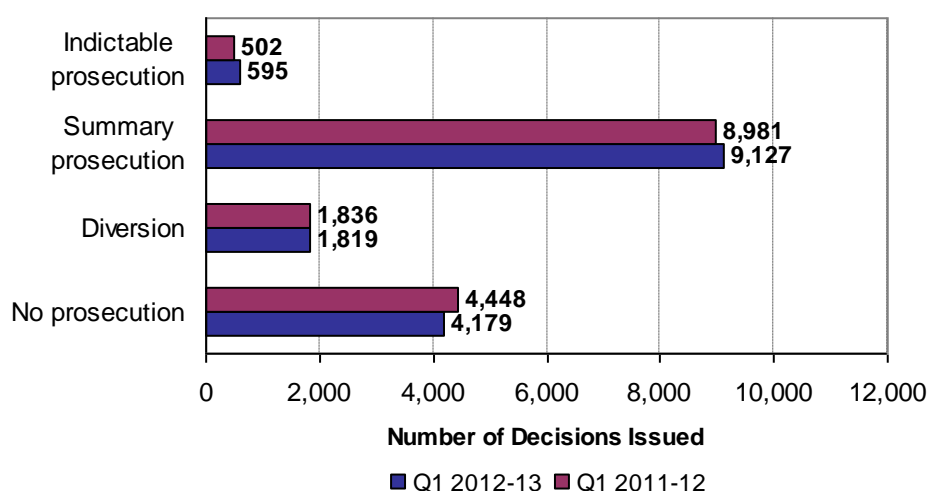
Information Requests Submitted to Police by Request Type and PPS Region / Function (Table 2)

- A total of 6,288 information requests were submitted to police during the first quarter of the financial year, a decrease of 2.9% on the first quarter of 2011-12.
- Sixty percent of all requests submitted during the current quarter were 'Post Decision Information Requests', 27% 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 quarter of 2012-13, 15,720 prosecutorial decisions were issued by the PPS. This was similar to the total issued during the first quarter of 2011-12 (15,767).
- The evidential Test for Prosecution was met in the majority of cases considered by public prosecutors during the first quarter of 2012-13. Of the 15,720 decisions issued, almost three-quarters (73%) were issued with a decision for prosecution (9,722) or for diversion from the courts (1,819). This was marginally higher than the equivalent period in 2011-12 (72%).

Number of Prosecutorial Decisions Issued by Type Q1 2011-12 and Q1 2012-13



- Comparing the first quarters of 2011-12 and 2012-13, there was an increase of 2.5% in the number of decisions to prosecute. This included an 18.5% increase in the number of indictable prosecution decisions issued, with a smaller rise in summary prosecution decisions (1.6%). The numbers of diversionary and no prosecution decisions fell by 0.9% and 6.1% respectively.

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

- Of the 4,179 no prosecution decisions issued during the first quarter of this financial year, the vast majority (95%) did not pass the evidential test. The remaining 5% did not pass the public interest test.

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 quarter of this financial year was 236, an increase on the equivalent period in 2011-12 (182 days).
- During the current quarter, summary prosecution decisions required an average of 26 days. This was unchanged from the first quarter of 2011-12.
- The time taken for diversionary decisions varied according to the type of diversion issued, with cautions requiring an average of 18 days, informed warnings 10 days and youth conferences 21 days.

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

- A total of 8,281 summonses were issued in police cases during the first quarter of this financial year.
- Seventy percent of summonses issued during the quarter 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

Quarter 1 2011-12 and Quarter 1 2012-13 ¹

		PPS Region / Function ²						Number of files
Quarter	File Type ³	Belfast	Eastern	Northern	Western and Southern	Headquarters	All PPS	
		Number	Number	Number	Number	Number	Number	
Q1 2012/13	Indictable	179	124	138	125	10	576	
	Hybrid	1,847	1,205	1,353	1,292	193	5,890	
	Summary	1,724	1,460	1,632	1,956	223	6,995	
	All Files	3,750	2,789	3,123	3,373	426	13,461	
Q1 2011/12	Indictable	187	161	188	126	7	669	
	Hybrid	1,732	1,385	1,394	1,355	221	6,087	
	Summary	1,578	1,480	1,559	1,917	266	6,800	
	All Files	3,497	3,026	3,141	3,398	494	13,556	
% Change (Files Received) 2011-12 to 2012-13		7.2%	-7.8%	-0.6%	-0.7%	-13.8%	-0.7%	

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

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

Quarter 1 2011-12 and Quarter 1 2012-13 ¹

Recorded Crime Offence Group ²	Number of files					
	Q1 2012-13		Q1 2011-12		Change (2011-12 to 2012-13)	
	Number	% Share	Number	% Share	Number	% Change
Violence against the person	3,140	37.7%	3,358	39.3%	-218	-6.5%
Sexual offences	322	3.9%	353	4.1%	-31	-8.8%
Robbery	69	0.8%	76	0.9%	-7	-9.2%
Burglary	309	3.7%	309	3.6%	0	0.0%
Theft	1,326	15.9%	1,311	15.3%	15	1.1%
Fraud and forgery	248	3.0%	261	3.1%	-13	-5.0%
Criminal damage	839	10.1%	919	10.8%	-80	-8.7%
Drug offences	810	9.7%	682	8.0%	128	18.8%
Other Miscellaneous offences	1,256	15.1%	1,282	15.0%	-26	-2.0%
All Recorded Crime Files	8,319	100.0%	8,551	100.0%	-232	-2.7%
Other files (Non-notifiable offences)	4,652		4,467		185	4.1%
All Files	12,971		13,018		-47	-0.4%

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

² See explanatory notes, page 15.

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

Quarter 1 2011-12 and Quarter 1 2012-13 ¹

Department / Agency	Number of files					
	Q1 2012-13		Q1 2011-12		Change (2011-12 to 2012-13)	
	Number	% Share	Number	% Share	Number	% Change
Driver and Vehicle Agency	174	42.3%	229	48.7%	-55	-24.0%
Dept. for Social Development	152	37.0%	152	32.3%	0	0.0%
Child Maintenance and Enforcement Division	22	5.4%	23	4.9%	-1	-4.3%
NI Environment Agency	17	4.1%	28	6.0%	-11	-39.3%
Department of Agriculture and Rural Development	6	1.5%	12	2.6%	-6	-50.0%
Dept. of Enterprise Trade and Investment	5	1.2%	8	1.7%	-3	-37.5%
Health and Safety Executive	5	1.2%	4	0.9%	1	25.0%
HM Revenue and Customs	3	0.7%	2	0.4%	1	50.0%
Other	27	6.6%	12	2.6%	15	125.0%
All Departments / Agencies	411	100.0%	470	100.0%	-59	-12.6%

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

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

Quarter 1 2011-12 and Quarter 1 2012-13 ¹

		PPS Region / Function ²						Number of requests
Quarter	Request Type ³	Belfast	Eastern	Northern	Western and Southern	Headquarters	All PPS	
		Number	Number	Number	Number	Number	Number	
Q1 2012/13	Full File Request	202	181	157	294	5	839	
	Decision Information Request	529	222	620	276	18	1,665	
	Post Decision Information Request	1,459	670	773	851	4	3,757	
	No Decision	4	10	1	12	0	27	
	All Requests Submitted	2,194	1,083	1,551	1,433	27	6,288	
Q1 2011/12	Full File Request	236	206	242	352	18	1,054	
	Decision Information Request	471	371	647	271	6	1,766	
	Post Decision Information Request	1,304	776	738	832	0	3,650	
	No Decision	2	3	2	0	0	7	
	All Requests Submitted	2,013	1,356	1,629	1,455	24	6,477	
% Change (Requests Submitted) 2011-12 to 2012-13		9.0%	-20.1%	-4.8%	-1.5%	12.5%	-2.9%	

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

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

Quarter 1 2011-12 and Quarter 1 2012-13 ¹

			Number of persons (decisions issued)					
			PPS Region / Function ²					
			Belfast	Eastern	Northern	Western and Southern	Headquarters	All PPS
Quarter	Type of Decision ³		Number	Number	Number	Number	Number	Number
Q1 2012-13	Prosecution	Indictable prosecution	214	112	108	111	50	595
		Summary prosecution	2,344	1,842	1,999	2,593	349	9,127
	Diversion	Caution	348	277	421	354	0	1,400
		Informed warning	74	56	89	23	0	242
		Youth conference	14	24	29	23	0	90
		Other	21	6	42	18	0	87
	No Prosecution		1,065	1,066	964	1,017	67	4,179
	All Decisions Issued		4,080	3,383	3,652	4,139	466	15,720
Q1 2011-12	Prosecution	Indictable prosecution	165	118	88	101	30	502
		Summary prosecution	2,242	2,010	2,092	2,223	414	8,981
	Diversion	Caution	326	362	421	309	0	1,418
		Informed warning	71	72	81	24	0	248
		Youth conference	24	33	31	34	0	122
		Other	11	9	20	8	0	48
	No Prosecution		1,000	1,164	1,193	1,021	70	4,448
	All Decisions Issued		3,839	3,768	3,926	3,720	514	15,767
% Change (Decisions Issued) 2011-12 to 2012-13			6.3%	-10.2%	-7.0%	11.3%	-9.3%	-0.3%

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

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

Quarter 1 2011-12 and Quarter 1 2012-13 ¹

		PPS Region / Function ²						Number of persons (decisions issued)
		Belfast	Eastern	Northern	Western and Southern	Headquarters	All PPS	
Quarter	Reason for no prosecution ³	Number	Number	Number	Number	Number	Number	
Q1 2012-13	Did not pass the evidential test	990	1,011	930	984	66	3,981	
	Did not pass the public interest test	75	55	34	33	1	198	
	All no prosecution decisions	1,065	1,066	964	1,017	67	4,179	
Q1 2011-12	Did not pass the evidential test	925	1,098	1,143	971	63	4,200	
	Did not pass the public interest test	75	66	50	50	7	248	
	All no prosecution decisions	1,000	1,164	1,193	1,021	70	4,448	
% Change (No prosecution decisions issued) 2011-12 to 2012-13		6.5%	-8.4%	-19.2%	-0.4%	-4.3%	-6.0%	

¹ 'Quarter' refers to the financial year; i.e. Quarter 1 reflects the period from 1 April to 30 June.

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)**

Quarter 1 2011-12 and Quarter 1 2012-13 ¹

			Average (calendar) days
Quarter	Type of Decision ²		All Regions
Q1 2012-13	Prosecution	Indictable prosecution	236
		Summary prosecution	26
	Diversion	Caution	18
		Informed warning	10
		Youth conference	21
		Other	35
	No Prosecution		48
Q1 2011-12	Prosecution	Indictable prosecution	182
		Summary prosecution	26
	Diversion	Caution	15
		Informed warning	8
		Youth conference	10
		Other	13
	No Prosecution		55

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

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

Quarter 1 2011-12 and Quarter 1 2012-13 ¹

		PPS Region					Number of summonses
		Belfast	Eastern	Northern	Western and Southern	All Regions	
Quarter	Service Method ²	Number	Number	Number	Number	Number	
Q1 2012/13	Postal Service	1,513	1,282	1,202	1,827	5,824	
	Personal Service	1,069	527	399	462	2,457	
	All Summonses	2,582	1,809	1,601	2,289	8,281	
Q1 2011/12	Postal Service	1,867	1,659	1,338	1,457	6,321	
	Personal Service	2,006	838	507	801	4,152	
	All Summonses	3,873	2,497	1,845	2,258	10,473	
% Change (Summonses Issued) 2011-12 to 2012-13		-33.3%	-27.6%	-13.2%	1.4%	-20.9%	

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

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 30 September, will be published on 15 November 2012.

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