

Public Prosecution Service for Northern Ireland

# Statistical Bulletin

## Quarters 1-2 2016/17

(April to September 2016)



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**Note:**

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

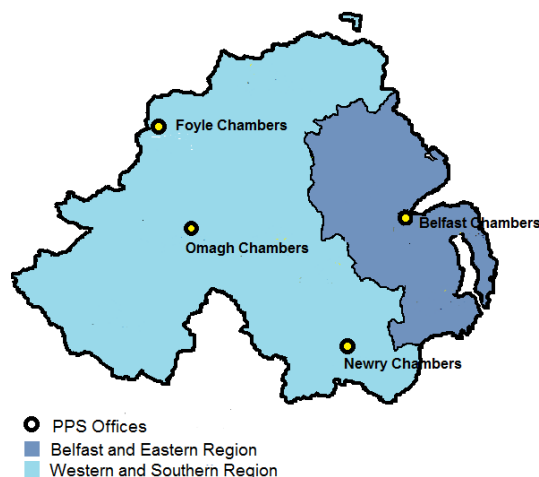
## Introduction

### 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 six months of the 2016/17 financial year (i.e. 1 April 2016 to 30 September 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 first six months of this financial year, 1 April 2016 to 30 September 2016, unless otherwise stated. This summary should be read together with the explanatory notes provided (see pages 18 - 21).

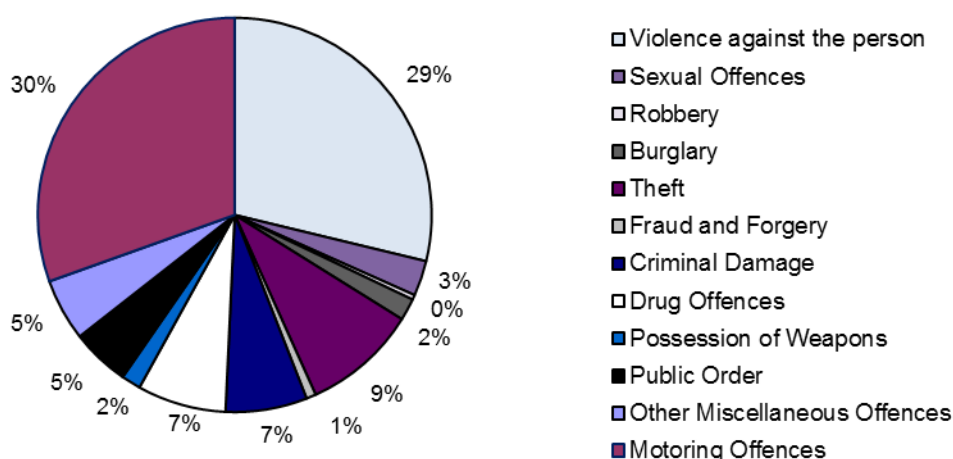
### Files Received by File Type and PPS Region / Function (Table 1a)

- The PPS received 21,599 files during the first six months of this financial year. This was a decrease of 1.0% on the first six months of the 2015/16 financial year (21,828).
- 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 six months of 2016/17, PPS received a total of 20,988 files from police. This represents a 0.9% decrease on the first half of 2015/16 (21,170).
- In terms of files received by offence classification, over two-thirds fell into three categories; 'motoring' (30%), 'violence against the person' (29%) and 'theft' (9%).
- Five offence classifications have shown an increase in the number of files received compared with the corresponding period in 2015/16. These are 'motoring offences' (+423), 'sexual offences' (+15), 'possession of weapons' (+8), 'robbery' (+7) and 'violence against the person' (+5),

**Files Received from Police by Offence Classification  
Quarters 1-2 2016/17**



<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)

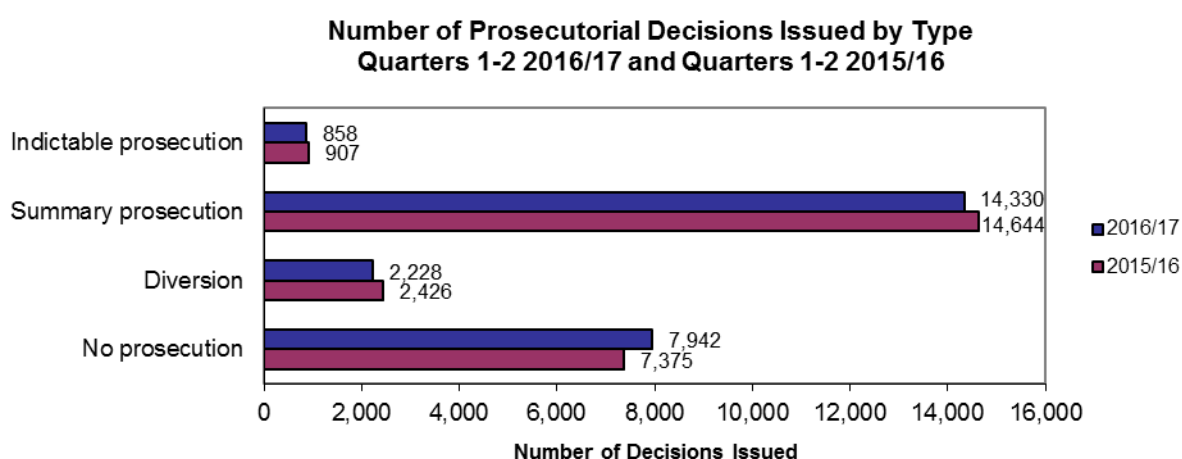
- A total of 526 files were submitted to PPS Departmental Section by departments and agencies during the first two quarters of 2016/17, representing a 5% decrease on the same period in 2015/16 (555).
- During the current period, the majority of files were submitted either by the Department for Communities (41%) or the Driver and Vehicle Agency (33%).

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

- A total of 12,856 information requests were submitted to police during the first six months of 2016/17, an increase of 5% on the same period during 2015/16 (12,280).
- Fifty-five 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 two quarters of this financial year, 25,358 prosecutorial decisions were issued by the PPS, almost identical to the first two quarters of 2015/16 (25,352).
- The evidential Test for Prosecution was met in the majority of cases considered by public prosecutors during the current two quarters. Of the 25,358 decisions issued, more than two-thirds (69%) were for prosecution (15,188) or for diversion from the courts (2,228). This was lower than the first two quarters of 2015/16 (71%).



- Comparing the first two quarters of 2016/17 and 2015/16, there was a 2.3% decrease in the number of decisions to prosecute. This comprised of a 5.4% decrease in indictable prosecution decisions and 2.1% decrease in summary prosecution decisions. The number of diversionary decisions fell by 8.2% while no prosecution decisions increased by 7.7%.

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

- Of the 7,942 no prosecution decisions issued during the first six months 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 two quarters of this financial year was 189, compared with 156 days during the equivalent period in 2015/16.
- During the current period, summary prosecution decisions required an average of 25 days, the same as the equivalent period in 2015/16.
- The time taken for diversionary decisions varied according to the type of diversion issued. Cautions required an average of 20 days (23 days in first two quarters of 2015/16), informed warnings 15 days (14 days in first two quarters of 2015/16) and youth conferences 17 days (23 days in first two quarters of 2015/16).

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

- A total of 14,316 summonses were issued in police cases during the first half of this financial year, an increase of 4.4% on the same period in 2015/16 (13,719). Comparing the first two quarters of 2016/17 and 2015/16, the number of summonses issued via postal service increased by 0.3% while those issued via personal service increased by 12.6%.
- Almost two-thirds (64%) of summonses issued during the current period were served on the defendant by post and the remainder (36%) via personal service by police.

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

- During the first half of 2016/17, 1,155 defendants were dealt with in the Crown Court. This was an increase of 80% on 2015/16 (640).<sup>3</sup>
- Of these defendants, 88% were convicted and 12% acquitted.
- Comparing the first two quarters of 2016/17 and 2015/16, the conviction rate increased from 85% to 88%.

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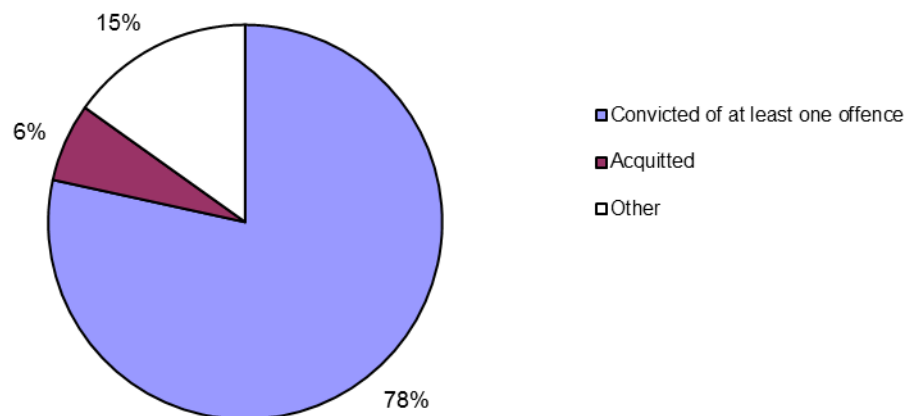
<sup>2</sup> The average figures are based on calendar days and include the time taken for the police to respond to PPS decision information requests. For indictable prosecution decisions, PPS case preparation time is also included (see explanatory notes, page 19).

<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 13,858 defendants were dealt with in the Magistrates' and Youth Courts during the first half of this financial year, a decrease of 7% on the same period in the previous financial year (14,976).
- Of the defendants dealt with during the first two quarters of 2016/17, 78% were convicted, 6% were acquitted and 15% had an 'other' outcome.
- The conviction rate was 78.4%, a 0.7 percentage point decrease compared with the equivalent period in 2015/16 (79.1%).

**Defendants Dealt with in the Magistrates' and Youth Courts by Outcome  
Quarters 1-2 2016/17**



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

Quarters 1-2 2015/16 and Quarters 1-2 2016/17 <sup>1</sup>

		PPS Region / Function <sup>2</sup>					Number of files
Quarters	File Type <sup>3</sup>	Belfast and Eastern	Western and Southern	Serious Crime Unit	Headquarters	All PPS	
		Number	Number	Number	Number	Number	
Q1-2 2016/17	Indictable	391	333	267	4	995	
	Hybrid	5,390	4,210	321	297	10,218	
	Summary	5,304	4,828	4	250	10,386	
	<b>All Files</b>	<b>11,085</b>	<b>9,371</b>	<b>592</b>	<b>551</b>	<b>21,599</b>	
Q1-2 2015/16	Indictable	536	448	N/A	7	991	
	Hybrid	5,569	4,952	N/A	316	10,837	
	Summary	4,825	4,922	N/A	253	10,000	
	<b>All Files</b>	<b>10,930</b>	<b>10,322</b>	<b>N/A</b>	<b>576</b>	<b>21,828</b>	
<b>% Change (Files Received) 2015/16 to 2016/17</b>		<b>1.4%</b>	<b>-9.2%</b>	<b>N/A</b>	<b>-4.3%</b>	<b>-1.0%</b>	

<sup>1</sup> 'Quarter' refers to the financial year; i.e. Quarters 1-2 (Q1-2) reflects the period from 1 April to 30 September.

<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**

Quarters 1-2 2015/16 and Quarters 1-2 2016/17 <sup>1</sup>

Offence Classification <sup>2</sup>	Number of files					
	Q1-2 2016/17		Q1-2 2015/16		Change (2015/16 to 2016/17)	
	Number	% Share	Number	% Share	Number	% Change
Violence against the person	6,040	28.8%	6,035	28.5%	5	0.1%
Sexual offences	612	2.9%	597	2.8%	15	2.5%
Robbery	90	0.4%	83	0.4%	7	8.4%
Burglary	374	1.8%	474	2.2%	-100	-21.1%
Theft	1,968	9.4%	2,146	10.1%	-178	-8.3%
Fraud and forgery	172	0.8%	188	0.9%	-16	-8.5%
Criminal damage	1,405	6.7%	1,405	6.6%	0	0.0%
Drug offences	1,522	7.3%	1,649	7.8%	-127	-7.7%
Possession of weapons	337	1.6%	329	1.6%	8	2.4%
Public order	1,002	4.8%	1,112	5.3%	-110	-9.9%
Other Miscellaneous offences	1,071	5.1%	1,180	5.6%	-109	-9.2%
Motoring offences	6,395	30.5%	5,972	28.2%	423	7.1%
<b>All Files</b>	<b>20,988</b>		<b>21,170</b>		<b>-182</b>	<b>-0.9%</b>

<sup>1</sup> 'Quarter' refers to the financial year; i.e. Quarters 1-2 (Q1-2) reflects the period from 1 April to 30 September.

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

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

Quarters 1-2 2015/16 and Quarters 1-2 2016/17 <sup>1</sup>

Department / Agency	Number of files					
	Q1-2 2016/17		Q1-2 2015/16		Change (2015/16 to 2016/17)	
	Number	% Share	Number	% Share	Number	% Change
Department for Communities	216	41.1%	212	38.2%	4	1.9%
Driver and Vehicle Agency	171	32.5%	189	34.1%	-18	-9.5%
NI Environment Agency	30	5.7%	49	8.8%	-19	-38.8%
Child Maintenance Service	45	8.6%	20	3.6%	25	125.0%
HM Revenue and Customs	14	2.7%	16	2.9%	-2	-12.5%
Department of Agriculture, Environment and Rural Affairs <sup>2</sup>	18	3.4%	15	2.7%	3	20.0%
Department for the Economy	7	1.3%	9	1.6%	-2	-22.2%
Health and Safety Executive	4	0.8%	6	1.1%	-2	-33.3%
Other	21	4.0%	39	7.0%	-18	-46.2%
<b>All Departments / Agencies</b>	<b>526</b>		<b>555</b>		<b>-29</b>	<b>-5.2%</b>

<sup>1</sup> 'Quarter' refers to the financial year; i.e. Quarters 1-2 (Q1-2) reflects the period from 1 April to 30 September.

<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**

Quarters 1-2 2015/16 and Quarters 1-2 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	
Q1-2 2016/17	Full File Request	806	958	73	4	1,841	
	Decision Information Request	1,618	1,961	248	43	3,870	
	Post Decision Information Request	3,871	2,969	230	50	7,120	
	No Decision	2	23	0	0	25	
	<b>All Requests Submitted</b>	<b>6,297</b>	<b>5,911</b>	<b>551</b>	<b>97</b>	<b>12,856</b>	
Q1-2 2015/16	Full File Request	800	1,013	N/A	7	1,820	
	Decision Information Request	1,870	1,869	N/A	20	3,759	
	Post Decision Information Request	3,748	2,895	N/A	13	6,656	
	No Decision	12	33	N/A	0	45	
	<b>All Requests Submitted</b>	<b>6,430</b>	<b>5,810</b>	<b>N/A</b>	<b>40</b>	<b>12,280</b>	
<b>% Change (Requests Submitted) 2015/16 to 2016/17</b>		<b>-2.1%</b>	<b>1.7%</b>	<b>N/A</b>	<b>142.5%</b>	<b>4.7%</b>	

<sup>1</sup> 'Quarter' refers to the financial year; i.e. Quarters 1-2 (Q1-2) reflects the period from 1 April to 30 September.

<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**

Quarters 1-2 2015/16 and Quarters 1-2 2016/17 <sup>1</sup>

			Number of persons (decisions issued)				
			PPS Region / Function <sup>2</sup>				
			Belfast and Eastern	Western and Southern	Serious Crime Unit	Headquarters	All PPS
Quarters	Type of Decision <sup>3</sup>		Number	Number	Number	Number	Number
Q1-2 2016/17	Prosecution	Indictable prosecution	414	290	84	70	858
		Summary prosecution	7,502	6,304	52	472	14,330
	Diversion	Caution	771	733	8	1	1,513
		Informed warning	82	99	0	0	181
		Youth conference	210	122	6	0	338
		Other	55	141	0	0	196
	No Prosecution		3,680	3,841	294	127	7,942
	<b>All Decisions Issued</b>		<b>12,714</b>	<b>11,530</b>	<b>444</b>	<b>670</b>	<b>25,358</b>
Q1-2 2015/16	Prosecution	Indictable prosecution	438	403	N/A	66	907
		Summary prosecution	7,518	6,562	N/A	564	14,644
	Diversion	Caution	726	969	N/A	2	1,697
		Informed warning	126	153	N/A	0	279
		Youth conference	169	104	N/A	0	273
		Other	52	125	N/A	0	177
	No Prosecution		3,599	3,689	N/A	87	7,375
	<b>All Decisions Issued</b>		<b>12,628</b>	<b>12,005</b>	<b>N/A</b>	<b>719</b>	<b>25,352</b>
<b>% Change (Decisions Issued) 2015/16 to 2016/17</b>			<b>0.7%</b>	<b>-4.0%</b>	<b>N/A</b>	<b>-6.8%</b>	<b>0.0%</b>

<sup>1</sup> 'Quarter' refers to the financial year; i.e. Quarters 1-2 (Q1-2) reflects the period from 1 April to 30 September.

<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**

Quarters 1-2 2015/16 and Quarters 1-2 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	
Q1-2 2016/17	Did not pass the evidential test	3,529	3,771	289	118	7,707	
	Did not pass the public interest test	151	70	5	9	235	
	<b>All no prosecution decisions</b>	<b>3,680</b>	<b>3,841</b>	<b>294</b>	<b>127</b>	<b>7,942</b>	
Q1-2 2015/16	Did not pass the evidential test	3,404	3,588	N/A	76	7,068	
	Did not pass the public interest test	195	101	N/A	11	307	
	<b>All no prosecution decisions</b>	<b>3,599</b>	<b>3,689</b>	<b>N/A</b>	<b>87</b>	<b>7,375</b>	
<b>% Change (No prosecution decisions issued) 2015/16 to 2016/17</b>		<b>2.3%</b>	<b>4.1%</b>	<b>N/A</b>	<b>46.0%</b>	<b>7.7%</b>	

<sup>1</sup> 'Quarter' refers to the financial year; i.e. Quarters 1-2 (Q1-2) reflects the period from 1 April to 30 September.

<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)**

Quarters 1-2 2015/16 and Quarters 1-2 2016/17 <sup>1</sup>

			Average (calendar) days
Quarters	Type of Decision <sup>2</sup>		All Regions
Q1-2 2016/17	Prosecution	Indictable prosecution	189
		Summary prosecution	25
	Diversion	Caution	20
		Informed warning	15
		Youth conference	17
		Other	29
	No Prosecution		49
Q1-2 2015/16	Prosecution	Indictable prosecution	156
		Summary prosecution	25
	Diversion	Caution	23
		Informed warning	14
		Youth conference	23
		Other	18
	No Prosecution		44

<sup>1</sup> 'Quarter' refers to the financial year; i.e. Quarters 1-2 (Q1-2) reflects the period from 1 April to 30 September.

<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**

Quarters 1-2 2015/16 and Quarters 1-2 2016/17 <sup>1</sup>

		Number of summonses			
		PPS Region			
		Belfast and Eastern	Western and Southern	Serious Crime Unit	All Regions
Quarters	Service Method <sup>2</sup>	Number	Number	Number	Number
Q1-2 2016/17	Postal Service	4,994	4,211	24	9,229
	Personal Service	3,502	1,539	46	5,087
	<b>All Summonses</b>	<b>8,496</b>	<b>5,750</b>	<b>70</b>	<b>14,316</b>
Q1-2 2015/16	Postal Service	4,941	4,262	N/A	9,203
	Personal Service	2,763	1,753	N/A	4,516
	<b>All Summonses</b>	<b>7,704</b>	<b>6,015</b>	<b>N/A</b>	<b>13,719</b>
<b>% Change (Summonses Issued) 2015/16 to 2016/17</b>		<b>10.3%</b>	<b>-4.4%</b>	<b>N/A</b>	<b>4.4%</b>

<sup>1</sup> 'Quarter' refers to the financial year; i.e. Quarters 1-2 (Q1-2) reflects the period from 1 April to 30 September.

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

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

Quarters 1-2 2015/16 and Quarters 1-2 2016/17 <sup>1</sup>

		Number of persons (defendants)				
		PPS Region / Function <sup>2</sup>				
		Belfast and Eastern	Western and Southern	Serious Crime Unit	Headquarters	All PPS
Quarters	Outcome <sup>3</sup>	Number	Number	Number	Number	Number
Q1-2 2016/17	Convicted of at least one offence	506	423	13	77	1,019
	Acquitted	57	69	2	5	133
	Other	3	0	0	0	3
	<b>All defendants</b>	<b>566</b>	<b>492</b>	<b>15</b>	<b>82</b>	<b>1,155</b>
	<b>Conviction Rate (%) <sup>3</sup></b>	<b>89.4%</b>	<b>86.0%</b>	<b>86.7%</b>	<b>93.9%</b>	<b>88.2%</b>
Q1-2 2015/16	Convicted of at least one offence	311	199	N/A	36	546
	Acquitted	48	35	N/A	7	90
	Other	1	2	N/A	1	4
	<b>All defendants</b>	<b>360</b>	<b>236</b>	<b>N/A</b>	<b>44</b>	<b>640</b>
	<b>Conviction Rate (%) <sup>3</sup></b>	<b>86.4%</b>	<b>84.3%</b>	<b>N/A</b>	<b>81.8%</b>	<b>85.3%</b>
<b>% Change (Defendants dealt with) 2015/16 to 2016/17 <sup>4</sup></b>		<b>57.2%</b>	<b>108.5%</b>	<b>N/A</b>	<b>86.4%</b>	<b>80.5%</b>

<sup>1</sup> 'Quarter' refers to the financial year; i.e. Quarters 1-2 (Q1-2) reflects the period from 1 April to 30 September.

<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**

Quarters 1-2 2015/16 and Quarters 1-2 2016/17 <sup>1</sup>

		Number of persons (defendants)				
		PPS Region / Function <sup>2</sup>				
		Belfast and Eastern	Western and Southern	Serious Crime Unit	Headquarters	All PPS
Quarter	Outcome <sup>3</sup>	Number	Number	Number	Number	Number
Q1-2 2016/17	Convicted of at least one offence	5,503	4,983	21	363	10,870
	Acquitted	516	351	5	18	890
	Other	1,152	860	15	71	2,098
	<b>All defendants</b>	<b>7,171</b>	<b>6,194</b>	<b>41</b>	<b>452</b>	<b>13,858</b>
	<b>Conviction Rate (%) <sup>3</sup></b>	<b>76.7%</b>	<b>80.4%</b>	<b>51.2%</b>	<b>80.3%</b>	<b>78.4%</b>
Q1-2 2015/16	Convicted of at least one offence	5,884	5,555	N/A	407	11,846
	Acquitted	468	397	N/A	21	886
	Other	1,058	1,077	N/A	109	2,244
	<b>All defendants</b>	<b>7,410</b>	<b>7,029</b>	<b>N/A</b>	<b>537</b>	<b>14,976</b>
	<b>Conviction Rate (%) <sup>3</sup></b>	<b>79.4%</b>	<b>79.0%</b>	<b>N/A</b>	<b>75.8%</b>	<b>79.1%</b>
<b>% Change (Defendants dealt with) 2015/16 to 2016/17</b>		<b>-3.2%</b>	<b>-11.9%</b>	<b>N/A</b>	<b>-15.8%</b>	<b>-7.5%</b>

<sup>1</sup> 'Quarter' refers to the financial year; i.e. Quarters 1-2 (Q1-2) reflects the period from 1 April to 30 September.

<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 31 December 2016, will be published on 16<sup>th</sup> February 2017.

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