

Public Prosecution Service for Northern Ireland

Statistical Bulletin

Quarters 1-3 2016/17

(April to December 2016)



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Note:

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

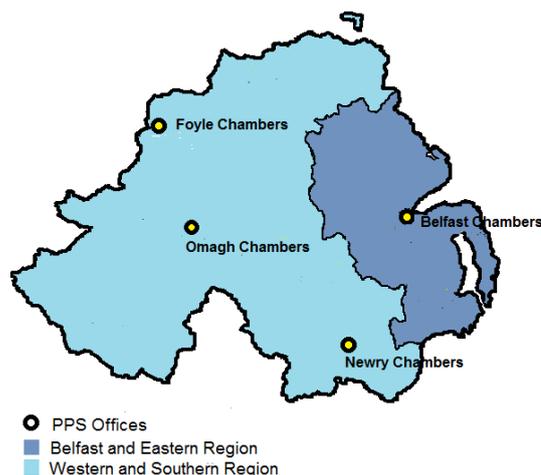
Introduction

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 nine months of the 2016/17 financial year (i.e. 1 April 2016 to 31 December 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 nine months of this financial year, 1 April 2016 to 31 December 2016, unless otherwise stated. This summary should be read together with the explanatory notes provided (see pages 18 - 21).

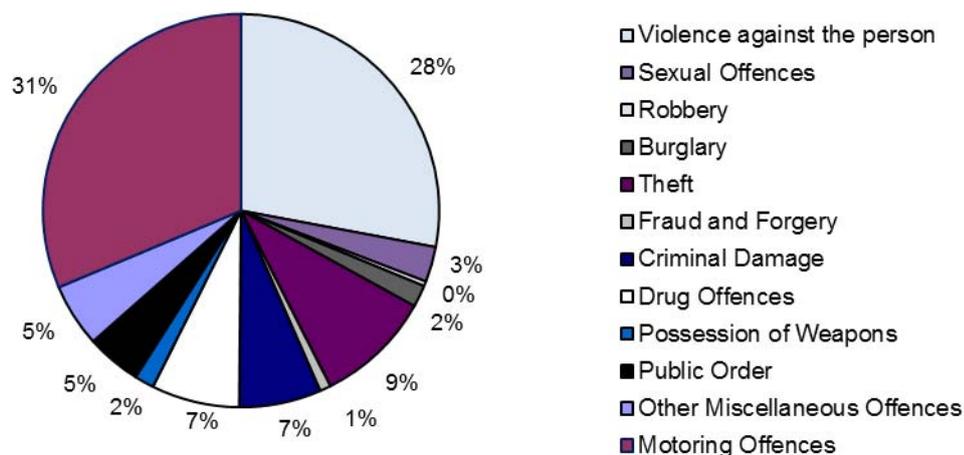
Files Received by File Type and PPS Region / Function (Table 1a)

- The PPS received 32,344 files during the first nine months of this financial year. This was a decrease of 1.3% on the first nine months of the 2015/16 financial year (32,767).
- Just under half (49%) of all files received during the current period related to summary offences, 47% to hybrid offences and 4% to indictable offences.

Files Received from Police¹ by Offence Classification (Table 1b)

- During the first nine months of 2016/17, PPS received a total of 31,415 files from police. This represents a 1.0% decrease on the equivalent period in 2015/16 (31,744).
- In terms of files received by offence classification, over two-thirds fell into three categories; 'motoring' (31%), 'violence against the person' (28%) and 'theft' (9%).
- Three offence classifications have shown an increase in the number of files received compared with the corresponding period in 2015/16. These are 'motoring offences' (+830), 'sexual offences' (+12) and 'possession of weapons' (+6). The largest reductions occurred in 'violence against the person' (-225), 'drug offences' (-218), 'public order' (-218) and 'theft' (-202).

**Files Received from Police by Offence Classification
Quarters 1-3 2016/17**



¹ '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)

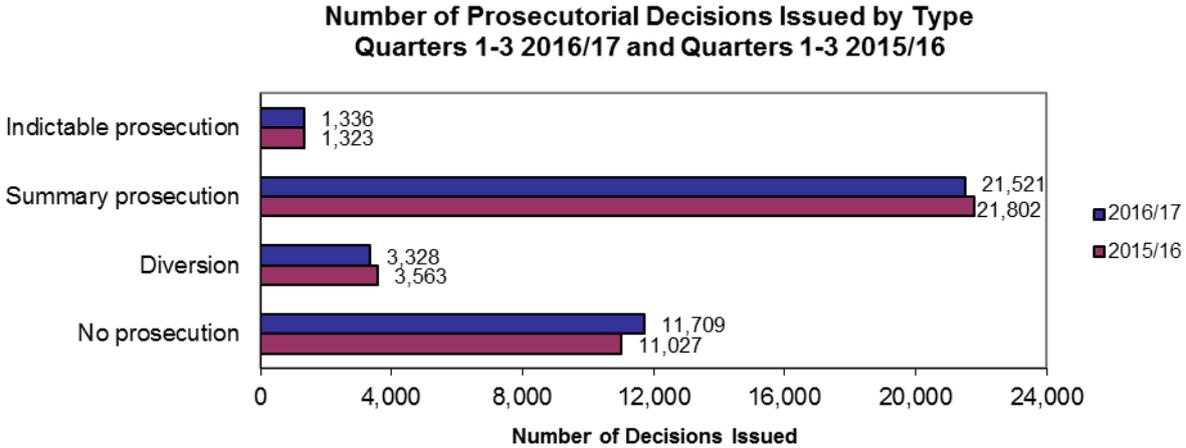
- A total of 801 files were submitted to PPS Departmental Section by departments and agencies during the first three quarters of 2016/17, representing an 8.4% decrease on the same period in 2015/16 (874).
- During the current period, the majority of files were submitted either by the Department for Communities (44%) or the Driver and Vehicle Agency (31%).

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

- A total of 19,392 information requests were submitted to police during the first nine months of 2016/17, an increase of 5% on the same period during 2015/16 (18,440).
- Fifty-six 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 three quarters of this financial year, 37,894 prosecutorial decisions were issued by the PPS, 0.5% more than the first three quarters of 2015/16 (37,715).
- The evidential Test for Prosecution was met in the majority of cases considered by public prosecutors during the current time period. Of the 37,894 decisions issued, more than two-thirds (69%) were for prosecution (22,857) or for diversion from the courts (3,328). This was lower than the first three quarters of 2015/16 (71%).



- Comparing the first nine months of 2016/17 and 2015/16, there was a 1.2% decrease in the number of decisions to prosecute. This comprised of a 1.0% increase in indictable prosecution decisions and 1.3% decrease in summary prosecution decisions. The number of diversionary decisions fell by 6.6% while no prosecution decisions increased by 6.2%.

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

- Of the 11,709 no prosecution decisions issued during the first nine 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 Required² 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 187, compared with 168 days during the equivalent period in 2015/16.
- During the current period, summary prosecution decisions required an average of 24 days, one day less (25) than 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 (22 days in first three quarters of 2015/16), informed warnings 14 days (13 days in first three quarters of 2015/16) and youth conferences 15 days (21 days in first three quarters of 2015/16).

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

- A total of 22,693 summonses were issued in police cases during the first nine months of this financial year, an increase of 11.3% on the same period in 2015/16 (20,384). Comparing the first three quarters of 2016/17 and 2015/16, the number of summonses issued via postal service increased by 0.5% while those issued via personal service increased by 36.7%.
- Almost two-thirds (63%) of summonses issued during the current period were served on the defendant by post and the remainder (37%) via personal service by police.

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

- During the first nine months of 2016/17, 1,748 defendants were dealt with in the Crown Court. This was more than double that of the first nine months of 2015/16 (824), largely explained by the withdrawal of criminal defence services for a large part of 2015/16.³
- Of these defendants, 88% were convicted and 12% acquitted.

² 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).

³ 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.

- Comparing the first three quarters of 2016/17 and 2015/16, the conviction rate increased from 84.2% to 87.6%.

Defendants Dealt with in the Magistrates' and Youth Courts by Outcome and PPS Region / Function (Table 5b)

- A total of 20,667 defendants were dealt with in the Magistrates' and Youth Courts during the first nine months of this financial year, a decrease of 6% on the same period in the previous financial year (21,988).
- Of the defendants dealt with during the first three quarters of 2016/17, 79% were convicted, 6% were acquitted and 15% had an 'other' outcome.
- The conviction rate was 78.7%, a 0.2 percentage point decrease compared with the equivalent period in 2015/16 (78.9%).

**Defendants Dealt with in the Magistrates' and Youth Courts by Outcome
Quarters 1-3 2016/17**

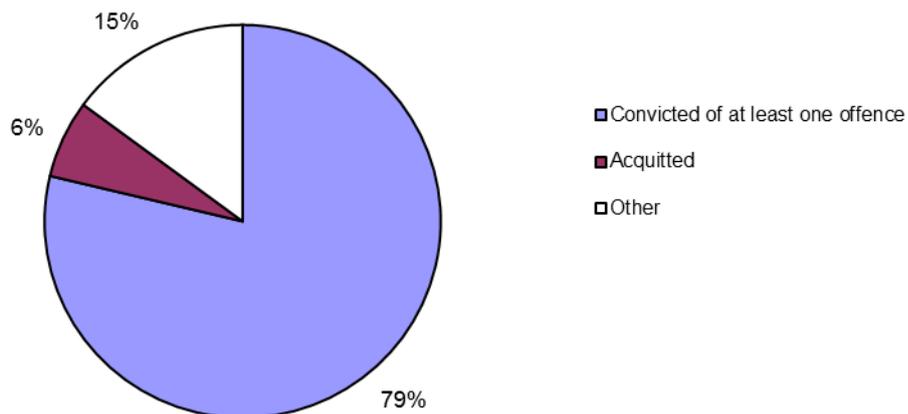


Table 1a: Files Received by File Type and PPS Region / Function

Quarters 1-3 2015/16 and Quarters 1-3 2016/17 ¹

		PPS Region / Function ²					Number of files
		Belfast and Eastern	Western and Southern	Serious Crime Unit	Headquarters	All PPS	
Quarters	File Type ³	Number	Number	Number	Number	Number	
Q1-3 2016/17	Indictable	565	468	367	14	1,414	
	Hybrid	8,113	6,173	473	472	15,231	
	Summary	8,136	7,194	4	365	15,699	
	All Files	16,814	13,835	844	851	32,344	
Q1-3 2015/16	Indictable	802	661	N/A	15	1,478	
	Hybrid	8,395	7,318	N/A	488	16,201	
	Summary	7,485	7,189	N/A	414	15,088	
	All Files	16,682	15,168	N/A	917	32,767	
% Change (Files Received) 2015/16 to 2016/17		0.8%	-8.8%	N/A	-7.2%	-1.3%	

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

² The Serious Crime Unit was established in January 2016. 'Headquarters' includes Central Casework Section and Fraud and Departmental Section.

³ See explanatory notes, page 18.

Table 1b: Files Received from Police by Offence Classification

Quarters 1-3 2015/16 and Quarters 1-3 2016/17 ¹

Offence Classification ²	Number of files					
	Q1-3 2016/17		Q1-3 2015/16		Change (2015/16 to 2016/17)	
	Number	% Share	Number	% Share	Number	% Change
Violence against the person	8,800	28.0%	9,025	28.4%	-225	-2.5%
Sexual offences	897	2.9%	885	2.8%	12	1.4%
Robbery	124	0.4%	129	0.4%	-5	-3.9%
Burglary	562	1.8%	666	2.1%	-104	-15.6%
Theft	2,977	9.5%	3,179	10.0%	-202	-6.4%
Fraud and forgery	268	0.9%	285	0.9%	-17	-6.0%
Criminal damage	2,097	6.7%	2,111	6.7%	-14	-0.7%
Drug offences	2,257	7.2%	2,475	7.8%	-218	-8.8%
Possession of weapons	513	1.6%	507	1.6%	6	1.2%
Public order	1,427	4.5%	1,645	5.2%	-218	-13.3%
Other Miscellaneous offences	1,638	5.2%	1,812	5.7%	-174	-9.6%
Motoring offences	9,855	31.4%	9,025	28.4%	830	9.2%
All Files	31,415		31,744		-329	-1.0%

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

² See explanatory notes, page 18.

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

Quarters 1-3 2015/16 and Quarters 1-3 2016/17 ¹

Department / Agency	Number of files					
	Q1-3 2016/17		Q1-3 2015/16		Change (2015/16 to 2016/17)	
	Number	% Share	Number	% Share	Number	% Change
Department for Communities	350	43.7%	333	38.1%	17	5.1%
Driver and Vehicle Agency	251	31.3%	301	34.4%	-50	-16.6%
NI Environment Agency	42	5.2%	66	7.6%	-24	-36.4%
Child Maintenance Service	65	8.1%	37	4.2%	28	75.7%
HM Revenue and Customs	27	3.4%	28	3.2%	-1	-3.6%
Department of Agriculture, Environment and Rural Affairs ²	27	3.4%	23	2.6%	4	17.4%
Department for the Economy	9	1.1%	12	1.4%	-3	-25.0%
Health and Safety Executive	6	0.7%	8	0.9%	-2	-25.0%
Other	24	3.0%	66	7.6%	-42	63.6%
All Departments / Agencies	801		874		-73	-8.4%

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

² Figures for NI Environment Agency are presented separately.

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

Quarters 1-3 2015/16 and Quarters 1-3 2016/17 ¹

		PPS Region / Function ²					Number of requests
		Belfast and Eastern	Western and Southern	Serious Crime Unit	Headquarters	All PPS	
Quarters	Request Type ³	Number	Number	Number	Number	Number	
Q1-3 2016/17	Full File Request	1,218	1,361	97	11	2,687	
	Decision Information Request	2,405	3,035	356	63	5,859	
	Post Decision Information Request	5,808	4,563	372	64	10,807	
	No Decision	3	34	2	0	39	
	All Requests Submitted	9,434	8,993	827	138	19,392	
Q1-3 2015/16	Full File Request	1,180	1,476	N/A	10	2,666	
	Decision Information Request	2,851	2,745	N/A	26	5,622	
	Post Decision Information Request	5,695	4,374	N/A	13	10,082	
	No Decision	26	43	N/A	1	70	
	All Requests Submitted	9,752	8,638	N/A	50	18,440	
% Change (Requests Submitted) 2015/16 to 2016/17		-3.3%	4.1%	N/A	176.0%	5.2%	

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

² The Serious Crime Unit was established in January 2016. 'Headquarters' includes Central Casework Section and Fraud and Departmental Section.

³ See explanatory notes, page 18.

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

Quarters 1-3 2015/16 and Quarters 1-3 2016/17 ¹

		Number of persons (decisions issued)					
		PPS Region / Function ²					
		Belfast and Eastern	Western and Southern	Serious Crime Unit	Headquarters	All PPS	
Quarters	Type of Decision ³	Number	Number	Number	Number	Number	
Q1-3 2016/17	Prosecution	Indictable prosecution	646	414	144	132	1,336
		Summary prosecution	11,444	9,314	80	683	21,521
	Diversion	Caution	1,139	1,059	12	3	2,213
		Informed warning	127	164	1	0	292
		Youth conference	290	161	9	0	460
		Other	103	260	0	0	363
	No Prosecution	5,393	5,668	465	183	11,709	
All Decisions Issued	19,142	17,040	711	1,001	37,894		
Q1-3 2015/16	Prosecution	Indictable prosecution	652	578	N/A	93	1,323
		Summary prosecution	11,503	9,466	N/A	833	21,802
	Diversion	Caution	1,149	1,353	N/A	3	2,505
		Informed warning	167	212	N/A	0	379
		Youth conference	286	156	N/A	0	442
		Other	72	165	N/A	0	237
	No Prosecution	5,584	5,301	N/A	142	11,027	
All Decisions Issued	19,413	17,231	N/A	1,071	37,715		
% Change (Decisions Issued) 2015/16 to 2016/17		-1.4%	-1.1%	N/A	-6.5%	0.5%	

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

² The Serious Crime Unit was established in January 2016. 'Headquarters' includes Central Casework Section and Fraud and Departmental Section.

³ See explanatory notes, page 19.

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

Quarters 1-3 2015/16 and Quarters 1-3 2016/17 ¹

		PPS Region / Function ²					Number of persons (decisions issued)
		Belfast and Eastern	Western and Southern	Serious Crime Unit	Headquarters	All PPS	
Quarters	Reason for no prosecution ³	Number	Number	Number	Number	Number	
Q1-3 2016/17	Did not pass the evidential test	5,158	5,565	455	169	11,347	
	Did not pass the public interest test	235	103	10	14	362	
	All no prosecution decisions	5,393	5,668	465	183	11,709	
Q1-3 2015/16	Did not pass the evidential test	5,299	5,152	N/A	127	10,578	
	Did not pass the public interest test	285	149	N/A	15	449	
	All no prosecution decisions	5,584	5,301	N/A	142	11,027	
% Change (No prosecution decisions issued) 2015/16 to 2016/17		-3.4%	6.9%	N/A	28.9%	6.2%	

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

² The Serious Crime Unit was established in January 2016. 'Headquarters' includes Central Casework Section and Fraud and Departmental Section.

³ See explanatory notes, page 19.

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

Quarters 1-3 2015/16 and Quarters 1-3 2016/17 ¹

			Average (calendar) days
Quarters	Type of Decision ²		All Regions
Q1-3 2016/17	Prosecution	Indictable prosecution	187
		Summary prosecution	24
	Diversion	Caution	20
		Informed warning	14
		Youth conference	15
		Other	27
	No Prosecution		51
Q1-3 2015/16	Prosecution	Indictable prosecution	168
		Summary prosecution	25
	Diversion	Caution	22
		Informed warning	13
		Youth conference	21
		Other	23
	No Prosecution		43

¹ 'Quarter' refers to the financial year; i.e. Quarters 1-3 (Q1-3) reflects 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 19).

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

Quarters 1-3 2015/16 and Quarters 1-3 2016/17 ¹

		PPS Region				Number of summonses
		Belfast and Eastern	Western and Southern	Serious Crime Unit	All Regions	
Quarters	Service Method ²	Number	Number	Number	Number	
Q1-3 2016/17	Postal Service	7,853	6,454	44	14,351	
	Personal Service	5,653	2,606	83	8,342	
	All Summonses	13,506	9,060	127	22,693	
Q1-3 2015/16	Postal Service	8,039	6,244	N/A	14,283	
	Personal Service	3,589	2,512	N/A	6,101	
	All Summonses	11,628	8,756	N/A	20,384	
% Change (Summonses Issued) 2015/16 to 2016/17		16.2%	3.5%	N/A	11.3%	

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

² See explanatory notes, page 20.

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

Quarters 1-3 2015/16 and Quarters 1-3 2016/17 ¹

		Number of persons (defendants)				
		PPS Region / Function ²				
		Belfast and Eastern	Western and Southern	Serious Crime Unit	Headquarters	All PPS
Quarters	Outcome ³	Number	Number	Number	Number	Number
Q1-3 2016/17	Convicted of at least one offence	751	636	27	118	1,532
	Acquitted	97	99	3	12	211
	Other	3	2	0	0	5
	All defendants	851	737	30	130	1,748
	Conviction Rate (%) ³	88.2%	86.3%	90.0%	90.8%	87.6%
Q1-3 2015/16	Convicted of at least one offence	377	266	N/A	51	694
	Acquitted	55	51	N/A	16	122
	Other	4	2	N/A	2	8
	All defendants	436	319	N/A	69	824
	Conviction Rate (%) ³	86.5%	83.4%	N/A	73.9%	84.2%
% Change (Defendants dealt with) 2015/16 to 2016/17 ⁴		95.2%	131.0%	N/A	88.4%	112.1%

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

² The Serious Crime Unit was established in January 2016. 'Headquarters' includes Central Casework Section and Fraud and Departmental Section.

³ See explanatory notes, page 20.

⁴ 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 1-3 2015/16 and Quarters 1-3 2016/17 ¹

Number of persons (defendants)

Quarter	Outcome ³	PPS Region / Function ²				
		Belfast and Eastern	Western and Southern	Serious Crime Unit	Headquarters	All PPS
		Number	Number	Number	Number	Number
Q1-3 2016/17	Convicted of at least one offence	8,299	7,402	38	529	16,268
	Acquitted	760	532	9	23	1,324
	Other	1,665	1,267	23	120	3,075
	All defendants	10,724	9,201	70	672	20,667
	Conviction Rate (%) ³	77.4%	80.4%	54.3%	78.7%	78.7%
Q1-3 2015/16	Convicted of at least one offence	8,722	8,018	N/A	603	17,343
	Acquitted	744	576	N/A	35	1,355
	Other	1,562	1,572	N/A	156	3,290
	All defendants	11,028	10,166	N/A	794	21,988
	Conviction Rate (%) ³	79.1%	78.9%	N/A	75.9%	78.9%
% Change (Defendants dealt with) 2015/16 to 2016/17		-2.8%	-9.5%	N/A	-15.4%	-6.0%

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

² The Serious Crime Unit was established in January 2016. 'Headquarters' includes Central Casework Section and Fraud and Departmental Section.

³ 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 March 2017, will be published on 15th June 2017.

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This document is available in a range of alternative formats

Published: 16th February 2017

