

COURT PROSECUTIONS, CONVICTIONS AND OUT OF COURT DISPOSALS STATISTICS FOR NORTHERN IRELAND 2021

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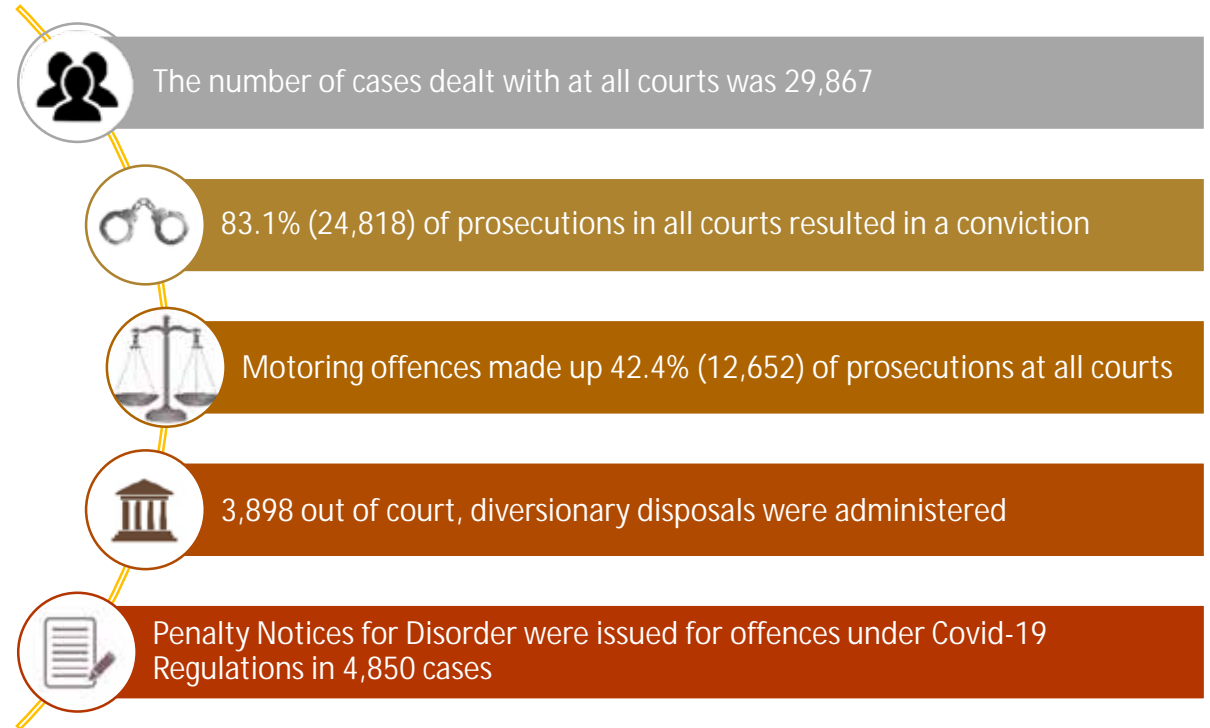
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1 | Key Findings

1.1 About this bulletin

This bulletin presents information on prosecutions and convictions for criminal cases dealt with in the Crown and magistrates' courts in Northern Ireland for the calendar year 2021, as well as out of court disposals completed within the same period. The impact of the Covid-19 pandemic was still evident in the justice system in 2021; the numbers recorded in this bulletin reflect this and the impact of measures introduced to assist on recovery of the backlog that arose due to the pandemic.

Main Points in 2021



1 | Key Findings Continued

1.2 Prosecutions and Convictions

- The number of prosecutions disposed at Crown Court in 2021 was 1,598, a 37.4% increase from 2020. Prosecutions at magistrates' courts rose by 40.7% during the same period (2020, 20,092; 2021, 28,269).
- In 2021, 83.1% (24,818) of prosecutions in all courts resulted in a conviction, down from 85.3% in 2020.
- Males accounted for the majority of prosecutions in all courts (82.6%).
- Defendants aged 18 to 39 accounted for the majority of prosecutions (69.4%) and convictions (70.4%). Those in the youngest (prosecutions, 2.3%; convictions, 2.1%) and oldest age groups (prosecutions, 3.9%; convictions, 3.7%) accounted for the lowest.
- Motoring offences made up the largest proportion of prosecutions (42.4%, 12,652) at all courts and drug offences had the highest conviction rate (94.0%, 2,666).
- Monetary penalties were the most frequently utilised disposal at all courts in 2021, with 55.3% (13,723) of all convictions having this type of disposal as their primary outcome. While 12.3% (3,058) of cases convicted at all courts resulted in a custodial outcome in 2021, the corresponding figure for Crown Court was 48.6% (692).

1.3 Out of Court Disposals

- A total of 5,662 Penalty Notices for Disorder (PNDs) were issued in 2021; 4,850 (85.7%) were for offences under Covid-19 Regulations.
- Of all PNDs issued in 2021, 61.4% were to males and 50.7% to 18 to 24 year olds.
- PNDs were issued mainly for offences in the miscellaneous crimes category (90.5%, 5,125).
- The number of out of court, diversionary disposals recorded against individuals' criminal records in 2021 was 3,898, a rise of 20.6% from 2020. Cautions made up 74.0% of them.
- Most diversionary disposals were issued to males (74.9%) and under 25 year olds (52.8%).
- Violence against the person and drug offences accounted for 26.4% and 24.4% of diversionary disposals respectively.

2 | Introduction

2.1 About this report

This bulletin is produced in accordance with the pillars and principles set out in the Code of Practice for Statistics. It presents data on the number of prosecutions and convictions for magistrates' courts and the Crown Court in Northern Ireland for the year 2021. Data for the youth court, a special magistrates' court that deals with proceedings against juveniles between the ages of 10 and 17, are included with those for magistrates' courts.

Data are also presented on those offenders who were dealt with outside the courts, by way of diversionary disposal, i.e., those who receive a caution, informed warning, a youth conference plan or are subject to the community based restorative justice scheme, or by issue of a penalty notice for disorder (PND).

Some detail on the structure of the known offending population in 2021, with information on the breakdown of offences committed and the disposals received, is also included. Where an offender has had an out of court disposal imposed or been prosecuted for, or convicted of, several offences on the same occasion, only one offence, the principal offence, is counted.

Details of principal offence methodology, data coverage and quality are detailed in Appendix 1. Data in all tables and charts in the bulletin, along with supplementary data, are available from the Department of Justice website in the accompanying [spreadsheet](#).

The next update, covering the 12 months to 31 December 2022, is planned for publication in June 2023. A full [publication schedule](#) is available on the Department of Justice website.

The data underpinning this report are utilised in the production of an annual First Time Entrants to the Justice System report, which takes data on convictions and out of court diversionary disposals each year and merges it with a historical disposals file. An associated report on case processing time for Criminal Cases Dealt with at Courts is also produced but on a narrower dataset, as convictions resulting from breach of court orders, PNDs and most other diversionary disposals are not included. As is the case for this bulletin, the latter publication is published approximately 6 months after the reporting period, to allow for update of administrative records and data validation.

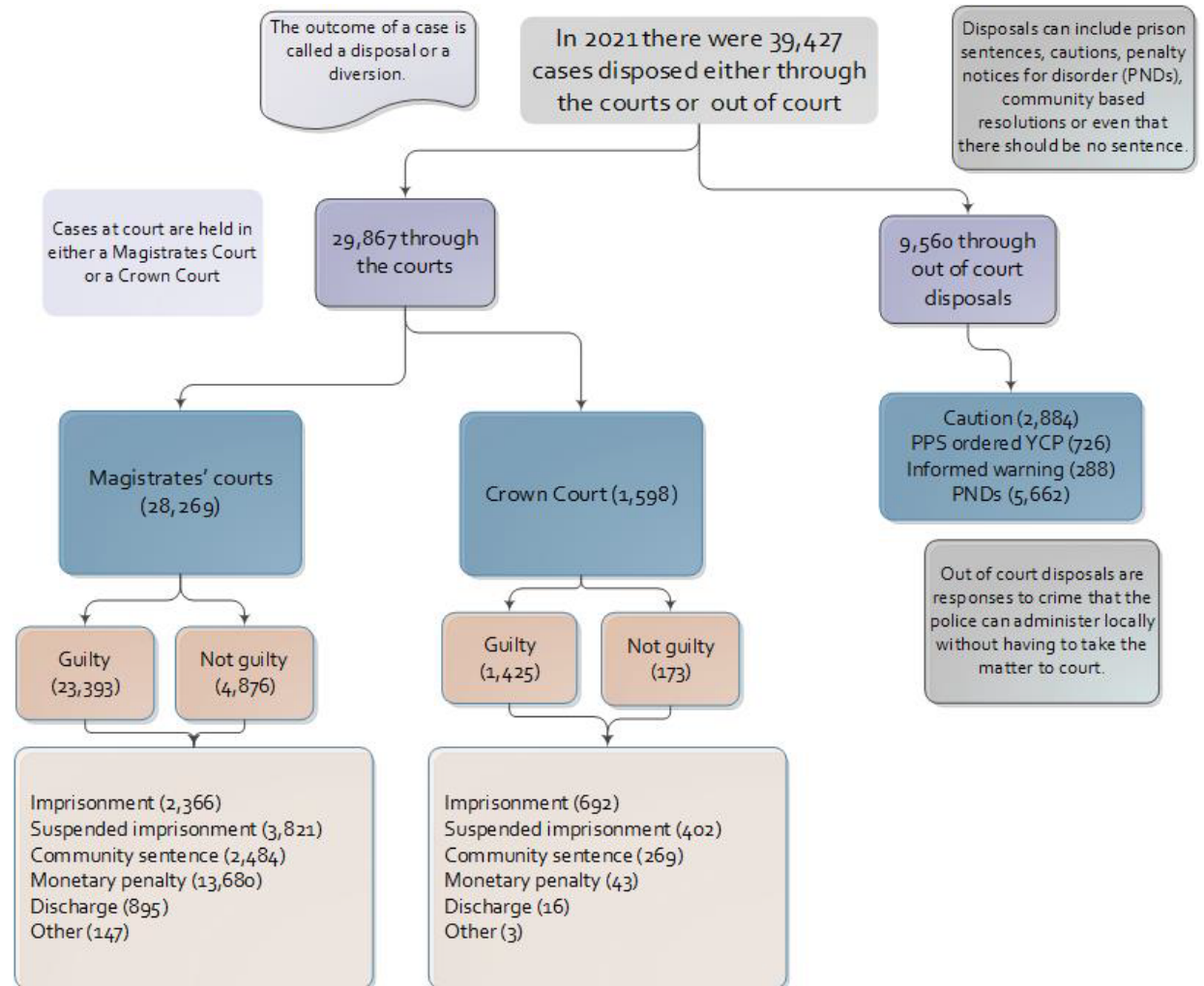
3 Cases

In total, there were 39,427 separate cases disposed in 2021, whether at court or through out of court disposal (Figure 1). This is the highest total since 2014 when 41,703 cases were disposed. It is also significantly higher than the 28,989 cases disposed in 2020, when the impact of the Covid-19 pandemic was at its worst with court sittings suspended for a period and the justice system as a whole not operating at its full capacity. The 2021 figure reflects the recovery of the workings of the justice system from the impact of the pandemic (Table 1 in accompanying [spreadsheet](#)).

The findings detailed in this report are split into –

- Prosecutions and convictions at courts in Northern Ireland in 2021 (section 4-8) and
- Out of court disposals issued over the same period (section 9).

Figure 1: Outcomes of cases dealt with at court and by out of court disposal 2021



4 | Prosecutions and Convictions Overall

4.1 Prosecutions

The number of prosecutions disposed at all courts in 2021 was 29,867, up 40.5% from 21,255 in 2020, when the effect of the Covid-19 pandemic on the workings of the justice system was at its worst. Prosecutions in the Crown and magistrates' courts also increased by 37.4% and 40.7% respectively.

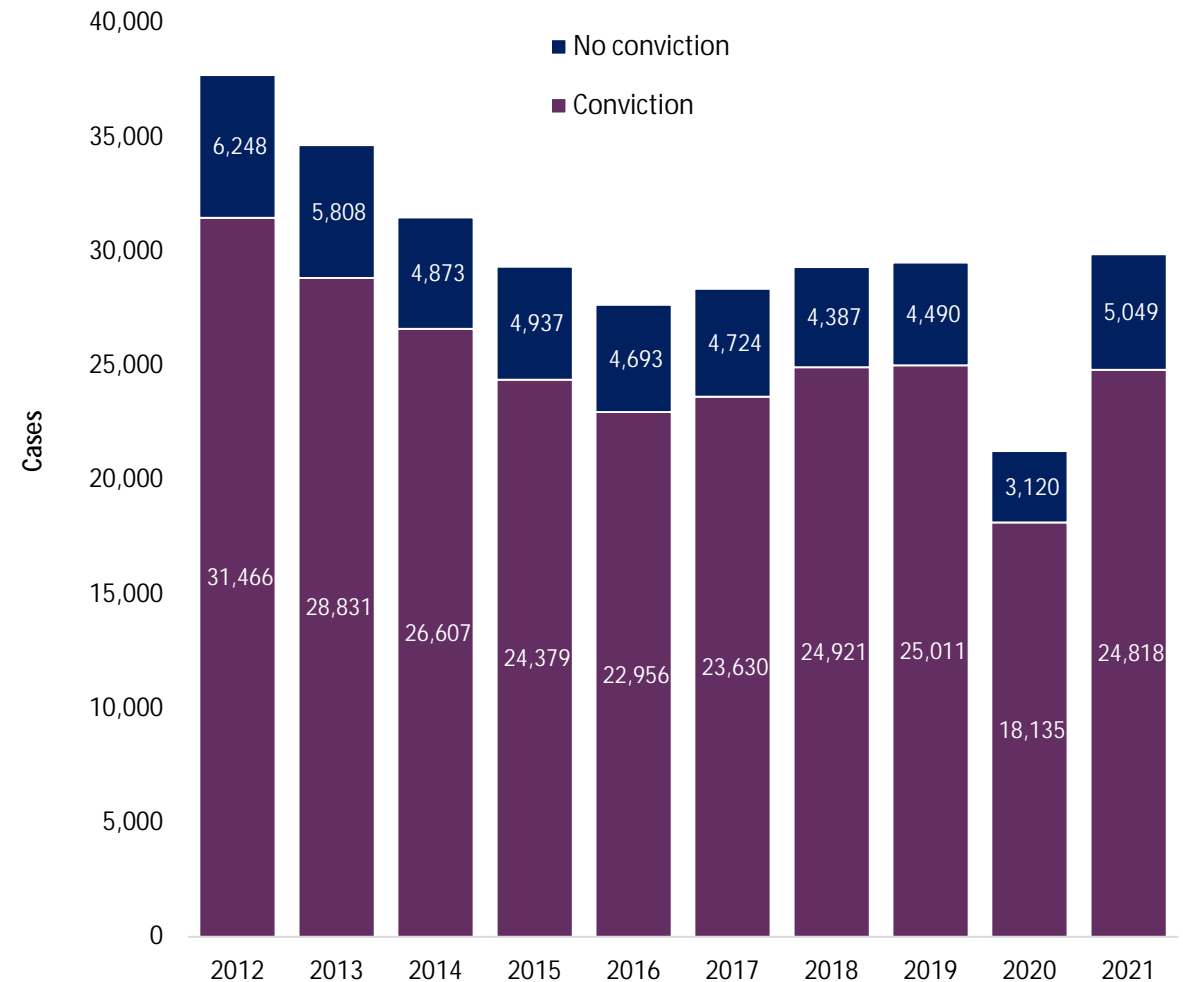
4.2 Conviction rates

In 2021, 83.1% (24,818) of prosecutions in all courts resulted in a conviction. This was slightly lower than the conviction rate in the previous year (85.3%) and the lowest observed since 2016 (Figure 2).

At 89.2%, the conviction rate for cases disposed at Crown Court was slightly lower in 2021 than in the previous year (89.8%) but was the second highest observed in the last ten years.

The conviction rate in magistrates' courts was 82.8%. This was lower than the rate in 2020 (85.1%) and the lowest since 2016 (Tables 2a, 2b and 2c in accompanying [spreadsheet](#)).

Figure 2: Prosecutions and convictions at all courts 2012 to 2021



5 | Prosecutions and Convictions by Gender

5.1 Prosecutions

Males constituted 82.6% of people prosecuted in all courts in 2021. Comparative figures for Crown and magistrates' courts were 89.4% and 82.2% respectively (Figure 3).

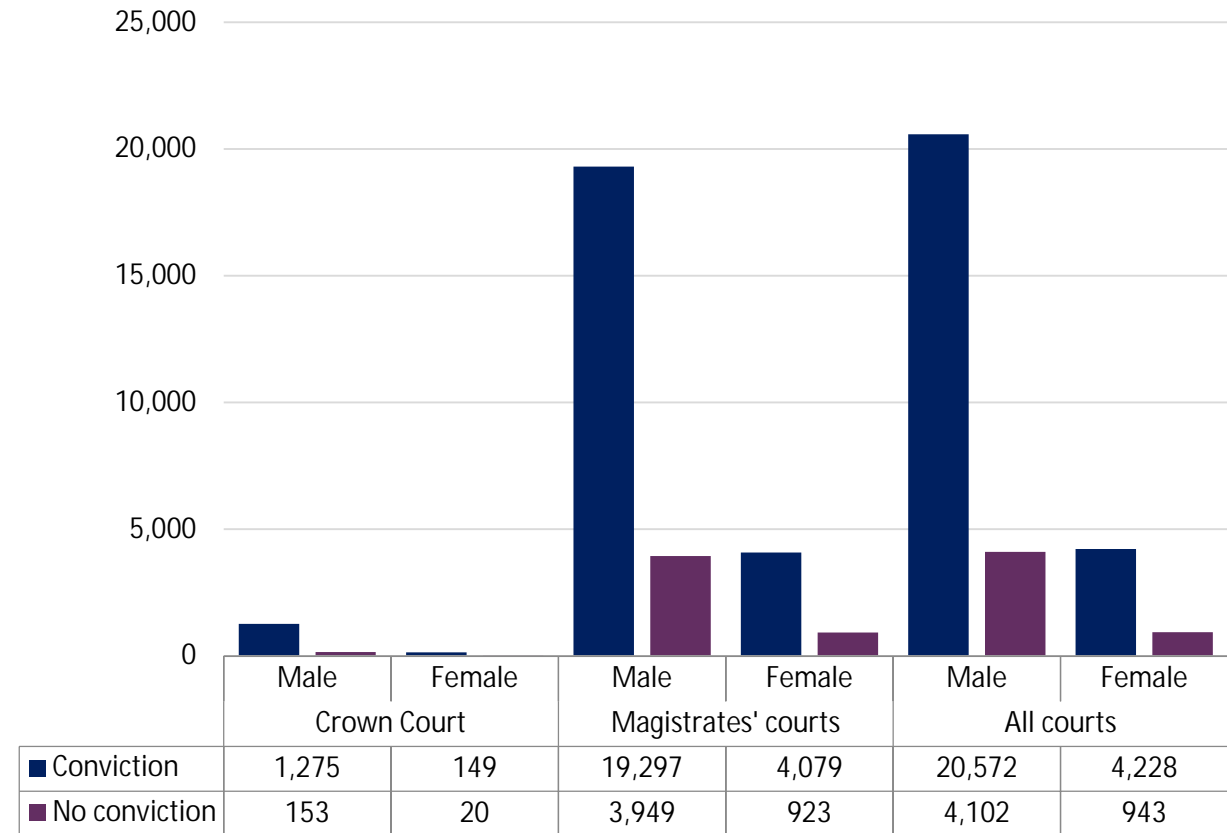
5.2 Conviction rates by gender

The conviction rate at all courts in 2021 was slightly higher for males (83.4%) than females (81.8%). Conviction rates for both genders were higher in the Crown Court (males, 89.3%; females, 88.2%) than in the magistrates' courts (males, 83.0%; females, 81.5%).

5.3 Other

For a small number of prosecutions, the defendants were classified as 'others'. This category included transgender defendants, companies and other public bodies and those for whom no gender was recorded (Tables 3a, 3b and 3c in accompanying [spreadsheet](#)).

Figure 3: Prosecutions and convictions at courts by type and gender of defendant



6 | Prosecutions and Convictions by Age

6.1 Prosecutions in all courts

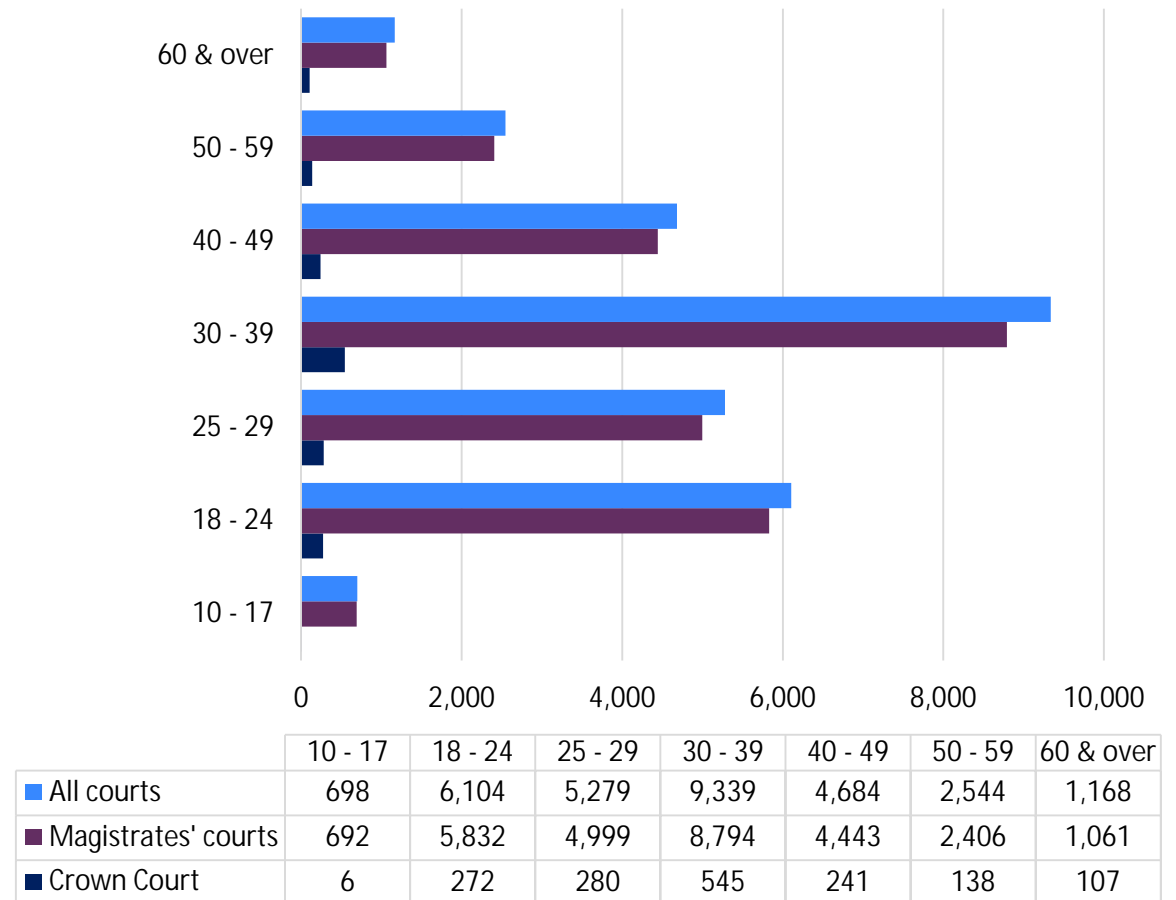
In all court settings in 2021, defendants aged 18 to 39 made up the majority (69.4%) of cases in which a prosecution was brought. Those in the youngest and oldest age groups made up the lowest (10-17, 2.3%; 60 and over, 3.9%).

6.2 Prosecutions by court type

Similar patterns were evident in both Crown and magistrates courts with defendants aged 18 to 39 making up 68.6% and 69.4% of cases respectively; those in the youngest and oldest age groups accounted for the lowest numbers.

Interestingly while a smaller percentage of prosecutions in the Crown Court than the magistrates' courts were against defendants aged 10 to 17, (Crown, 0.4%; magistrates' courts, 2.4%), the reverse was true for those aged 60 and over (Crown, 6.7%; magistrates' courts, 3.8%) (Figure 4).

Figure 4: Number of prosecutions at court by age group of defendant and court type



6 | Prosecutions and Convictions by Age Continued

6.3 Convictions in all courts

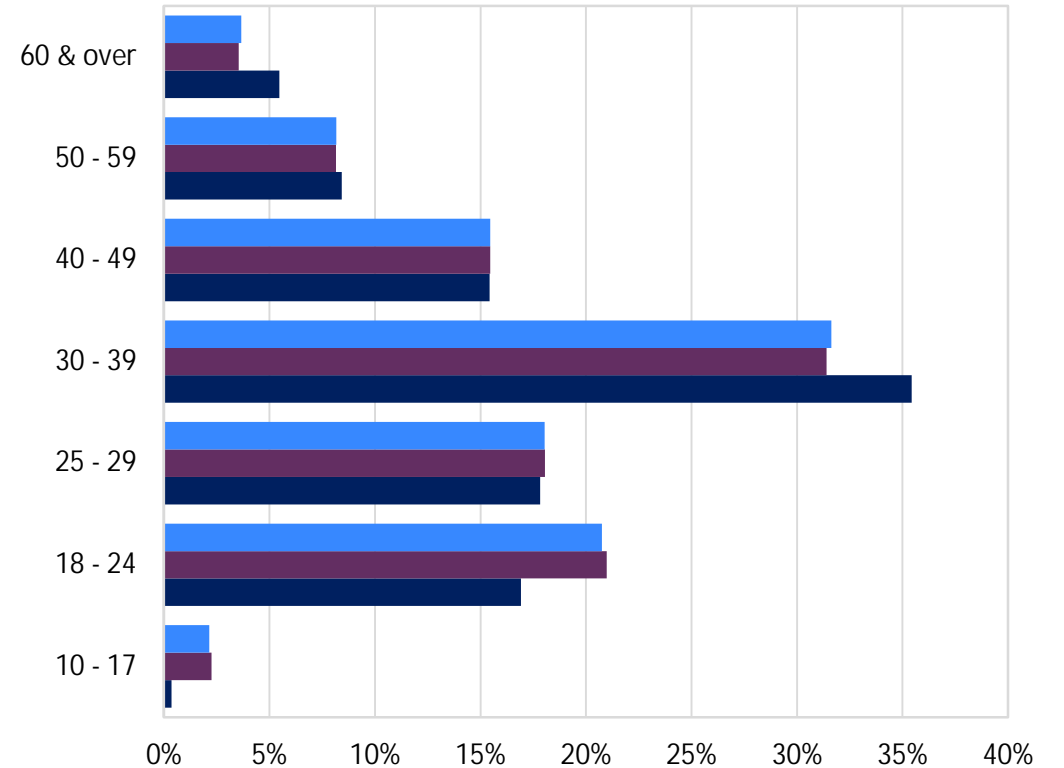
Defendants aged 18 to 39 accounted for the majority (70.4%, 17,479) of convictions at all courts in 2021. Those in the youngest and oldest age groups accounted for the lowest (10 to 17, 2.1% (532); 60 and over, 3.7% (908)).

6.4 Convictions by court type

Similar patterns were also evident in the Crown and Magistrates Courts, where defendants aged 18 to 39 made up 70.2% and 70.4% of cases respectively; those in the youngest and oldest age groups accounted for the lowest numbers (Figure 5).

Those aged 30 to 39 had the highest likelihood of conviction at Crown Court, with 92.7% (505) of prosecutions resulting in a conviction. Those aged 25 to 29 had the highest likelihood of conviction (84.5%, 4,225) in magistrates' courts (Tables 4a, 4b and 4c in accompanying [spreadsheet](#)).

Figure 5: Proportion of convictions at court by court type and age of defendant



	10 - 17	18 - 24	25 - 29	30 - 39	40 - 49	50 - 59	60 & over
All courts	2.1%	20.7%	18.0%	31.6%	15.5%	8.2%	3.7%
Magistrates' courts	2.3%	21.0%	18.1%	31.4%	15.5%	8.1%	3.5%
Crown Court	0.4%	16.9%	17.8%	35.4%	15.4%	8.4%	5.5%

7 | Prosecutions and Convictions by Offence Classification

7.1 All courts

Across all courts, motoring offences accounted for the largest proportion of cases disposed in 2021 (42.4%, 12,652). This was followed by violence against the person (VAP) (18.2%, 5,422) and drug offences (9.5%, 2,836) (Figure 6).

Prosecutions brought for drugs offences were most likely to end in conviction (94.0%; 2,666), closely followed by motoring offences (92.4%; 11,691). VAP cases were least likely to result in a conviction (67.3%; 3,650) (Table 5 in accompanying [spreadsheet](#)).

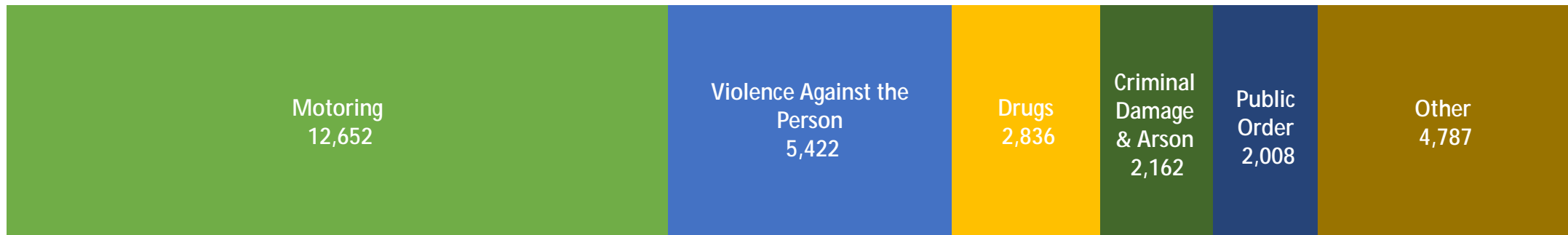
Details of what counts as an offence are documented in Appendix 1.

7.2 Gender breakdown

Cases where the principal offences related to motoring (46.4%), VAP (14.4%) or drugs (11.7%) made up the majority (72.5%) of convictions for males. Motoring (50.3%), VAP (16.1%) and theft (10.0%) offences made up the majority (76.4%) of convictions for females.

In terms of all convictions at all courts, those due to motoring offences by males made up 38.5%; the corresponding figure for females was 8.6% (Tables 6a and 6b in accompanying [spreadsheet](#)).

Figure 6: Cases disposed by offence category in all courts



7 | Prosecutions and Convictions by Offence Classification Continued

7.3 Age breakdown

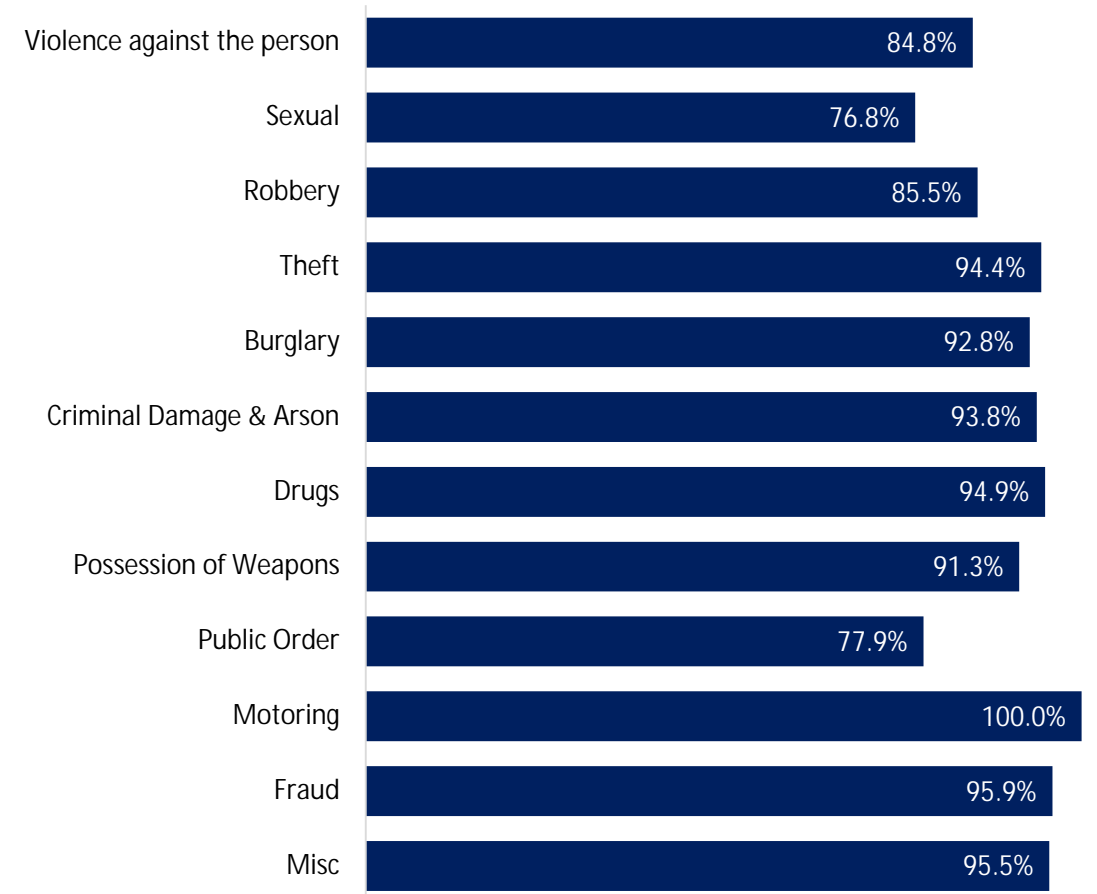
Criminal damage and arson (24.6%), VAP (22.2%) and theft (13.7%) offences made up the majority (60.5%) of convictions for those aged 10-17. Motoring, VAP and drug offences made up the majority of convictions for those in the 18-24 (72.3%), 25-29 (72.2%), 30-39 (72.2%) and 40-49 (75.6%) age categories. Motoring and VAP made up the majority of convictions for those in the oldest two age groups (Tables 7a and 7b in accompanying [spreadsheet](#)).

7.4 Crown Court

The largest proportion of cases disposed in the Crown Court in 2021 fell into the VAP (21.8%), drugs (18.5%) and sexual offences (12.4%) categories. The possession of weapons category made up the smallest proportion of cases disposed (1.4%).

In the Crown Court in 2021, prosecutions brought for motoring (100.0%) offences were most likely and those for sexual offences least likely (76.8%) to end in conviction. Convictions for seven of the other ten offence categories were over 90% (Figure 7).

Figure 7: Percentage convictions in Crown Court by offence category 2021



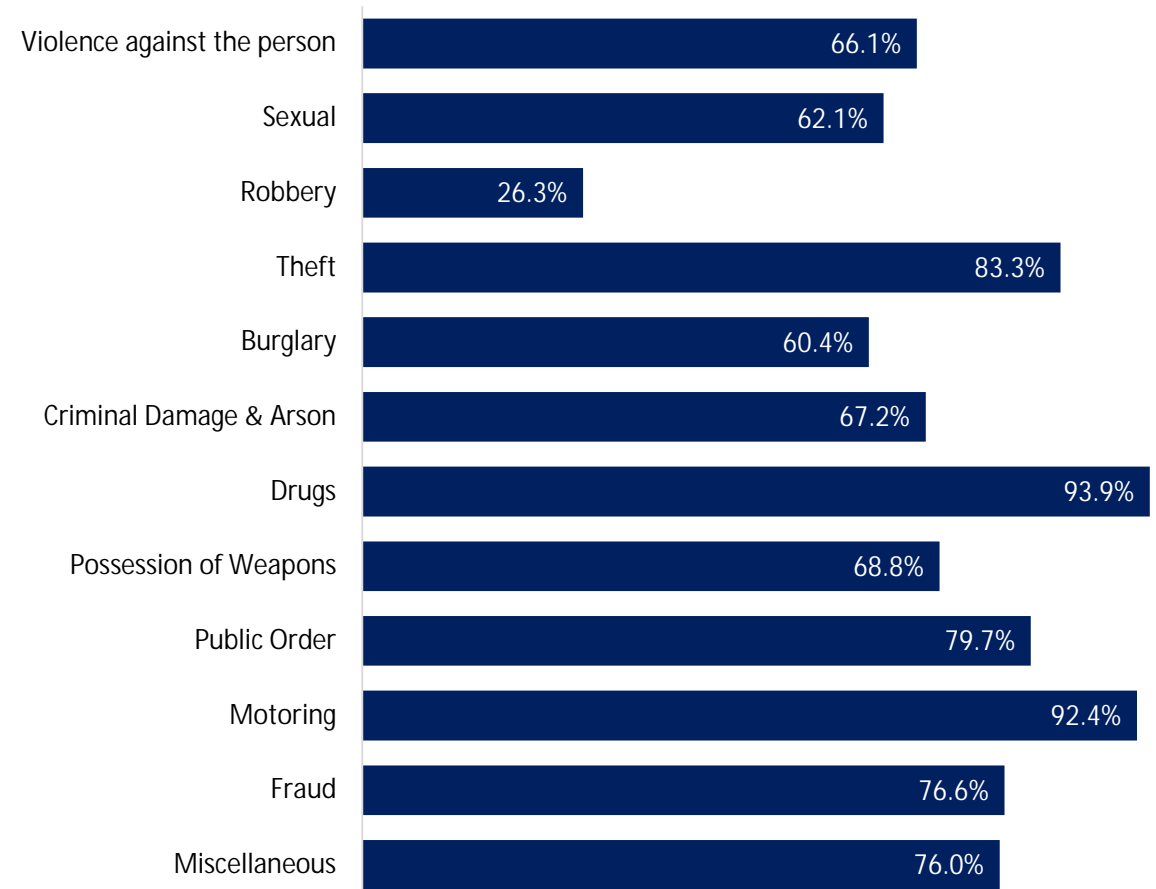
7 | Prosecutions and Convictions by Offence Classification Continued

7.5 Magistrates' courts

The largest proportion of cases disposed at magistrates' courts in 2021 fell into the motoring offences category (44.6%).

Prosecutions brought for drug (93.9%) and motoring (92.4%) offences were most likely to end in conviction; robbery offences were the least likely (26.3%; 5) (Table 5 in accompanying [spreadsheet](#)) (Figure 8).

Figure 8: Percentage convictions in magistrates' courts by offence category 2021



8 | Prosecutions and Convictions by Main Disposal Type

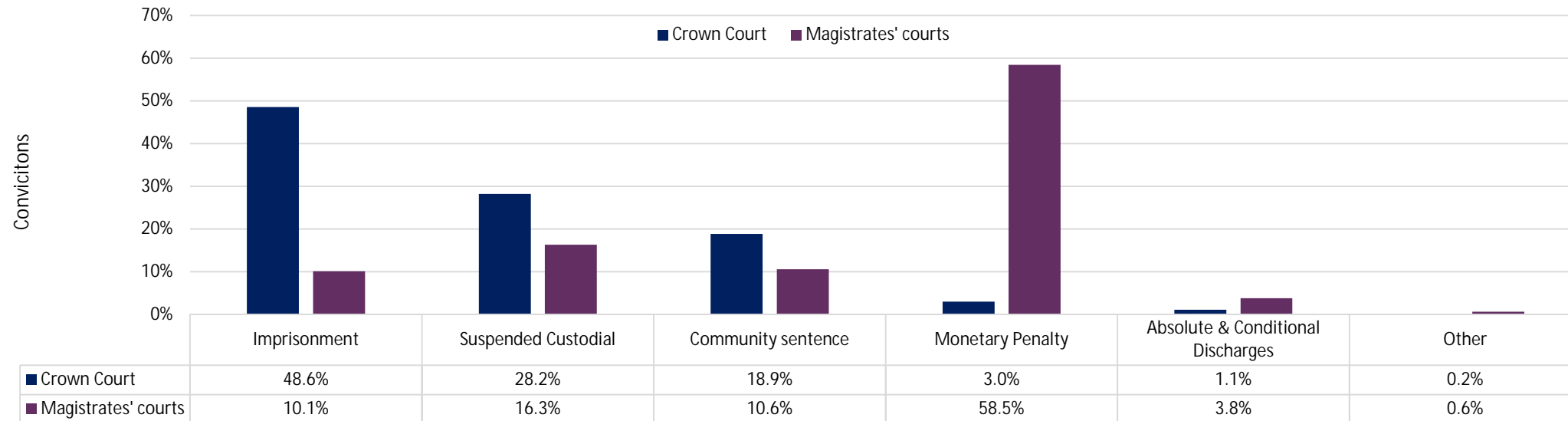
8.1 All courts

Monetary penalties were the most frequently utilised disposal at all courts in 2021, with 55.3% (13,723) of all convictions having this type of disposal as their primary outcome. This was followed by suspended custodial outcomes (17.0%), custodial outcomes (12.3%) and community sentences (11.1%).

8.2 Court type

The type of penalty imposed following a conviction varied according to court type. Imprisonment (Crown, 48.6%; magistrates', 10.1%) and suspended custodial sentences (Crown, 28.2%; magistrates', 16.3%) accounted for higher proportions of disposals in Crown Court while monetary disposals accounted for higher proportions in magistrates' courts (Crown, 3.0%; magistrates', 58.5%) (Figure 9).

Figure 9: Percentage convictions at court by disposal type and court type



8 | Prosecutions and Convictions by Main Disposal Type Continued

8.3 Offence category all courts

In all courts, the offence category most likely to result in a custodial outcome was robbery, with 75.0% (39) of disposals for offences in this category resulting in this type of outcome in 2021. Conversely, a custodial outcome was least likely for motoring offences (2.3%, 271), which were most likely to be dealt with by way of monetary penalty (87.5%, 10,227). Fraud offences were most likely to attract a suspended custodial sentence (41.9%, (117) of disposals for offences in this category); sexual offences had the highest proportion of cases dealt with by a community sentence, (26.8%, (75) of disposals for offences in this category).

8.4 Offence category Crown Court

In Crown Court, offences in the robbery (80.9%, (38) of disposals for offences in this category), burglary (68.2%, 105) and criminal damage & arson (66.7%, 30) categories were most likely to result in a custodial outcome. Fraud offences were more likely to result in a suspended sentence (51.1% (24) of disposals for offences in this category).

8.5 Offence category magistrates' courts

In magistrates' courts, burglary offences (43.2%, (89) of disposals for offences in this category) were most likely to result in a custodial outcome while fraud offences were most likely to be dealt with by way of suspended custodial sentence (40.1%, 93). Motoring offences were most likely to result in a monetary penalty (87.9%, (10,224) of convictions at magistrates' courts for offences in this category (Tables 10a, 10b, 11a, 11b, 12a and 12b in accompanying [spreadsheet](#)).

8.6 Custodial sentences

The Criminal Justice (NI) Order 2008 allowed for the introduction of three new sentence types within Northern Ireland: two public protection sentences, 'indeterminate' and 'extended' custodial; and a further sentence, 'determinate' custodial. The number of convictions where a public protection sentence was handed down in 2021 was 30, 1.0% of all custodial sentences. The number of sentences which combined custody and community supervision elements excluding those released on licence conditions was 591, 19.3% of all custodial sentences. Other custodial sentences accounted for 79.7% (2,437) of cases where a custodial sentence was handed down, at all courts (Tables 9a, 9b and 9c in accompanying [spreadsheet](#)).

9 | Out of Court Disposals

9.1 About Out of Court Disposals

Non-court disposals allow the police to deal quickly and proportionately with low-level, often first-time, offending which could more appropriately be resolved without a prosecution at court. In Northern Ireland a range of options exist, such as cautionary disposals, informed warnings, completion of Public Prosecution Service (PPS) ordered Youth Conferencing Plans and resolution through the Community Based Restorative Justice scheme.

Additionally, PNDs were introduced in Northern Ireland on 6th June 2012, under the Justice Act (Northern Ireland) 2011. PNDs are a fixed penalty designed to tackle low-level, anti-social and nuisance offending for offenders aged 18 and over and are issued for a range of minor offences. Unlike other out of court disposals, acceptance of a PND does not result in a criminal record. In 2020, offences under Health Protection Regulations, in relation to the Covid-19 pandemic, were added to those offences which could be dealt with by way of PND and this had a significant effect on the number of PNDs issued in 2021.

Further information about out of court disposals is available in Appendix 1, in the accompanying [background quality report](#) and at the [nidirect website](#).

9.2 Overall

The number of out of court disposals was 9,560 in 2021, a rise of 23.6% from 2020 (7,734) and the highest number issued since 2014 (Figure 10). The increase was due mainly to Covid-19 offences dealt with by penalty notices.

9.3 Penalty Notice for Disorder¹

In 2021, 4,850 PNDs were issued for offences under Health Protection regulations as a result of the pandemic, a 25.8% increase on the 2020 total. In contrast, 812 PNDs were issued that were not under pandemic regulations, a decrease of 3.4% from 2020.

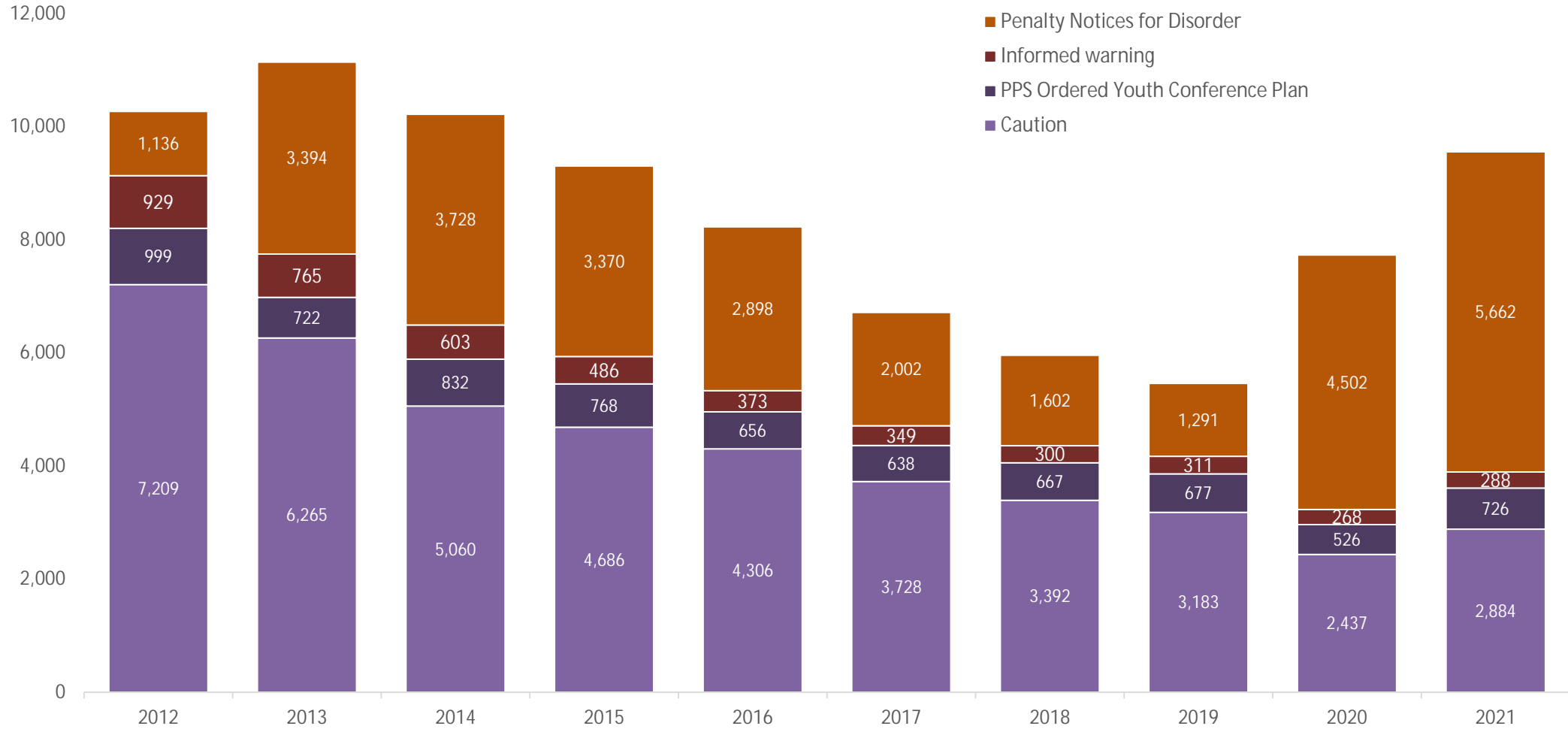
Of all PNDs issued in 2021, 61.4% were to males; 50.7% were to 18 to 24 year olds.

PNDs were issued mainly for offences in the miscellaneous crimes category (90.5%, 5,125). Public order (5.6%, 319), theft (2.5%, 141), and violence against the person (0.8%, 43) offences accounted for the remainder.

¹ Figures for Fixed Penalty Notices issued under Health Protection Regulations brought in as a response to the pandemic have been included with figures for PNDs.

9 | Out of Court Disposals Continued

Figure 10: Out of court disposals by type 2012 - 2021



9 | Out of Court Disposals Continued

For offences not under covid-19 legislation, PNDs were issued mainly for offences in the public order (39.3%) and miscellaneous crimes (33.9%) categories (Tables 14a, 14b and 14c in accompanying [spreadsheet](#)). Details of what counts as an offence are documented in Appendix 1.

9.4 Diversionary Disposals – Types issued

In 2021, the number of diversionary disposals issued that were recorded against individuals' criminal records was 3,898, a rise of 20.6% from 2020. It is the second lowest figure over the last ten years and a 57.4% decrease from 2012. Cautions were the most common form of diversionary disposal, making up 74.0% (2,884) of all diversionary disposals in 2021. This was followed by Youth Conference Plans (18.6%, 726) and informed warnings (7.4%, 288). There were no relevant community based restorative justice scheme out of court disposals recorded in 2021 (Table 13 in accompanying [spreadsheet](#)) (Figure 10).

Like PNDs the number of PPS ordered Youth Conferencing Plans (38.0%), cautions (18.3%) and informed warnings (7.5%) have all increased on the comparative figure for 2020.

9.5 Age and Gender of recipient, and offence category

Most diversionary disposals in 2021 were issued to males (74.9%, 2,918) and those aged under 25 (52.8%, 2,058). This was similar to the comparative proportions in 2020 when 74.2% of diversionary disposals were issued to males and 53.8% to the under 25 age group.

VAP and drug offences accounted for 26.4% (1,030) and 24.4% (950) of diversionary disposals respectively. This was followed by criminal damage and arson (11.5%, 450), motoring (10.5%, 411), theft (7.7%, 300) and public order (7.6%, 295) offences (Tables 15a, 15b and 16 in accompanying [spreadsheet](#)). Details of what counts as an offence are documented in Appendix 1.

10 | Appendix 1 – Methodology and Counting Rules

What counts as a prosecution/conviction/diversionary disposal?

The data included in the bulletin are based on those for whom court proceedings were completed, or who had an out of court disposal recorded in Northern Ireland during the year 2021. The bulletin counts criminal proceedings brought to court by the Public Prosecution Service on behalf of the Police Service of Northern Ireland (PSNI), the National Crime Agency, the Airport Constabulary or Harbour Police in Northern Ireland and breaches of community sentences brought by the Probation Board for Northern Ireland. Some prosecutions brought on behalf of the UK Border Agency are also included. The numbers of prosecutions completed are split into those where a conviction followed and those which did not result in a guilty finding. Prosecutions brought by government departments, other public bodies and private individuals are not included. The Public Prosecution Service in Northern Ireland publishes details of the [prosecution process](#) in Northern Ireland on its website, detailing paths through the justice system, whether a case is dealt with by way of court disposal or by an out of court disposal.

For the purposes of this bulletin, out of court disposals are broken into two categories, distinguishing those that result in a criminal record (diversionary disposals) from those that do not (PND). Diversionary disposals are those instances where an offender is subject to a caution, informed warning, a youth conference plan, or is subject to the community based restorative justice scheme. The purposes of a diversionary disposal are: (i) to offer a proportionate response to low level offending where the offender has admitted the offence, (ii) to deliver swift, simple and effective justice that carries a deterrent effect; (iii) to record an individual's criminal conduct for possible reference in future criminal proceedings or in criminal record or other similar checks; (iv) to reduce the likelihood of reoffending; and, (v) to increase the amount of time the police have to spend dealing with more serious crime by reducing the amount of time police officers spend completing paperwork and attending court (in addition to simultaneously reducing the burden on courts themselves).

Police-issued PNDs are a fixed penalty designed to tackle low-level, anti-social and nuisance offending for offenders aged 18 and over and are issued for a range of minor offences. They were introduced in Northern Ireland on the 6th June 2012 as a result of the Justice Act (Northern Ireland) 2011. PNDs provide police with a swift financial punishment to deal with misbehaviour and a practical deterrent to future re-offending. Further information on PNDs can be accessed at the [nidirect website](#).

10 | Appendix 1 – Methodology and Counting Rules

What counts as an offence?

Where an offender has had an out of court disposal imposed or been prosecuted for, or convicted of, several offences on the same occasion, only one offence, the principal offence, is counted. For cases brought before a court, the offence counted and used in the compilation of figures in this report is the one on which the court took its final decision. For diversionary disposals, the offence counted is the one recorded at the time the diversionary disposal was issued and, where applicable, subsequently recorded as completed with the PPS.

In relation to convictions, the principal offence counted is normally the one that draws the most severe disposal at conviction. Offences for which a defendant is convicted are not necessarily the same as those for which the defendant was initially proceeded against, as charges may be amended during the course of a case. The decision recorded is that reached by the court and takes no account of any subsequent appeal to a higher court. The basis for selection of the principal offence is laid down in rules issued by the Home Office; the Department of Justice has developed a [methodology](#) applicable to Northern Ireland based on these. Further, these statistics are compiled on the basis of the date at which a defendant's case is considered dealt with by the justice system, rather than the date at which offences are reported or detected, as is the case for recorded crime statistics reported by the PSNI. More detail on recorded crime statistics in Northern Ireland is available in the relevant [User Guide](#) on the PSNI website.

10 | Appendix 1 – Methodology and Counting Rules

Data source and coverage

The statistics are produced using administrative data sourced from the Causeway Data Sharing Mechanism (DSM1). They were extracted primarily based on records contained on the Criminal Records Viewer (CRV), held on Causeway. CRV utilises data that originated in the PSNI, PPS and from Northern Ireland Courts and Tribunals Service. Causeway is an interconnected information system, launched as a joint undertaking by the Criminal Justice Organisations in Northern Ireland. The information is not a sample, but a complete dataset of all relevant cases recorded within the time period reported on. To minimise the impact of records that have been retrospectively updated on the systems in question, these particular data are extracted around eight weeks after the end of the reporting period; this allows for the updating and completion of records across the systems concerned. As part of the preparation of the figures for the bulletin, numerous validation checks are carried out by the NISRA statisticians responsible for production of the bulletin, to ensure the data are fit for purpose.

These statistics are produced on a calendar year basis. Historically, this has been so that they match the publication sequencing of Judicial Statistics, published by the Northern Ireland Courts and Tribunals Service (NICTS). Further, this allows for efficient sequencing of work by the small team that prepare these statistics, as they are also responsible for producing statistics on First Time Entrants to the Justice System, Case Processing Time Statistics and Youth Engagement statistics in Northern Ireland.

Full details of data relevance, accuracy, timeliness, accessibility, coherence, strengths, weaknesses, user need, cost and confidentiality are available in the [accompanying background quality](#) report. Details of the data quality checks and processes that DoJ has in place are available in the [Quality Assurance of Administrative Data \(QAAD\)](#) document on the DoJ website. A summary of the strength and weaknesses of the data are included on the following page.

10 | Appendix 1 – Methodology and Counting Rules

Data strengths and limitations

Strengths

- Causeway is an integrated messaging system specifically designed to support information sharing between the five main NI Criminal Justice organisations. The information recorded within the individual organisations is used to manage day to day business and to communicate between the other organisations so needs to be highly accurate.
- The system works well and is trusted by the staff who use it. It is reliable and needs minimal maintenance.
- A number of key personnel are involved in managing Causeway and have developed a high level of competence and experience of the system.
- The data are sourced from an administrative data system and therefore are a complete record of all cases (i.e. are not based on a sample of staff).
- Processes and systems have been developed and refined over the years to address any quality concerns that emerged and the statisticians have developed a complex and detailed series of validation checks which are applied to the data to ensure any anomalies are corrected.

Limitations

- The system depends on staff within five separate Criminal Justice organisations inputting details and updating records on their own systems. While there is the potential for problems to occur if details aren't updated on a timely basis or if input errors occur, the nature of the information make accuracy critical.