



PUBLIC PROSECUTION SERVICE FOR NORTHERN IRELAND

Statistical Bulletin:
Cases Involving Sexual Offences 2017/18

1 April 2017 to 31 March 2018

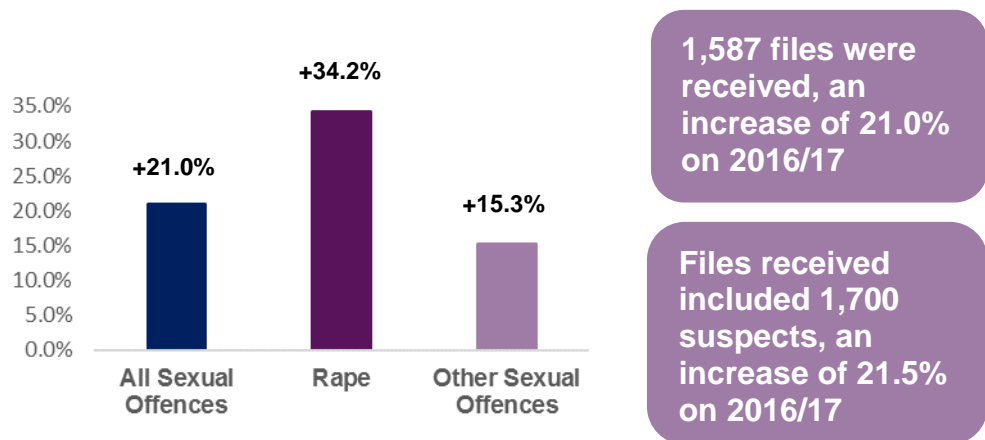


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Statistical Bulletin: Cases Involving Sexual Offences 2017/18

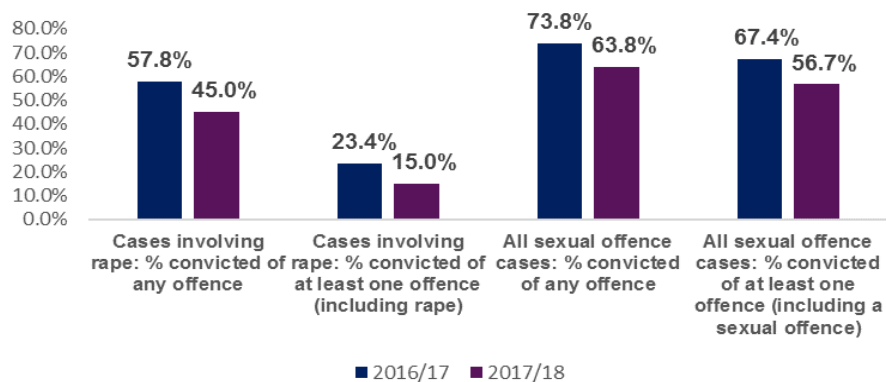
Files Received



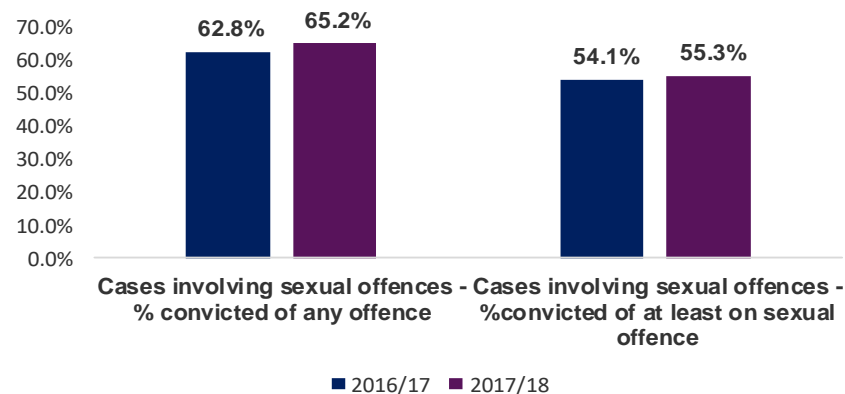
Decisions Issued for Prosecution

	2016/17	2017/18	% Change
All Sexual Offences	363	351	-3.3%
Rape	55	49	-10.9%
Other Sexual Offences	296	291	-1.7%

Crown Court Conviction Rates



Magistrates' Court Conviction Rates



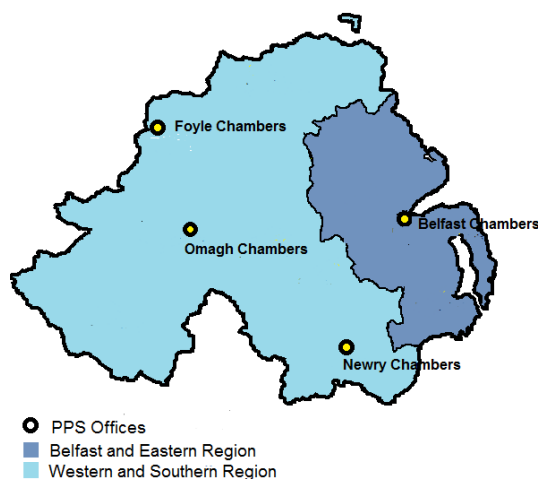
Introduction

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 National Driver Alertness Course or to a Community Restorative Justice Scheme.

PPS Regional Structure



There are two PPS regions. 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.

In addition there are four legal sections, based in PPS Headquarters, which are also headed at AD level. These are as follows:

- The Serious Crime Unit (see below);
- 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
- High Court 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).

Corporate Services is responsible for the organisation's support services such as Policy and Information, Finance, Resource Management and ICT, as well as the Victim and Witness Care Unit (VWCU).

A range of information about the PPS is available via the PPS website at www.ppsni.gov.uk. This includes a number of key policy statements, for example, the PPS Code for Prosecutors and Policy for Prosecuting Cases of Rape.

Serious Crime Unit

The PPS Serious Crime Unit (SCU) was 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 and related offences. Prior to January 2016, cases of this type would typically have been dealt with by the regions.

The large majority of files submitted by the police to the PPS involving sexual offences are now dealt with by the SCU (86.3% of all such files received in 2017/18).

About this Bulletin

This bulletin presents key statistics in relation to the prosecution of sexual offences, including caseloads and prosecutorial decisions. It also includes data on the outcomes of prosecutions at court involving these offences.

The report provides information for the 2017/18 financial year (i.e. 1 April 2017 to 31 March 2018) and includes comparisons for the equivalent period in 2016/17. Where appropriate, detailed notes have been provided which give an explanation of the relevant PPS processes and procedures.

Where Official Statistics disclosure rules permit, findings across the various tables are presented for 'Rape', 'Other Sexual Offences' and 'All Sexual Offences'. The full range of offences covered and contained within each category is set out in the supporting documentation to this bulletin which is available on the PPS website at www.ppsni.gov.uk/thematic-statistical-bulletins-7882.html.

Revised Counting Rules – Decisions Issued

Users should note a change to the counting rules covering the presentation of prosecutorial decisions and the analysis of such decisions by decision type. This affects the figures for 2016/17 as previously published in Table 4a of “Statistical Bulletin: Cases Involving Sexual Offences 2016/17”, published in April 2018. Amended data for 2016/17, along with figures for 2017/18, are provided in Tables 4a-c of this bulletin.

Previous counting rules presented prosecutorial decisions involving rape where there had been a decision to deal with a rape offence by way of prosecution or diversion or where there was a decision not to prosecute. These counting rules meant that:

- Where a decision was taken not to prosecute for a rape offence, but to prosecute for another sexual offence, such a decision was included within the ‘other sexual offences’ category and not counted as a decision in relation to rape.
- Where a decision was taken not to prosecute for a rape offence, but to prosecute for a non-sexual offence, such a decision was not included within the statistics.
- Where a decision was taken not to prosecute an ‘other’ sexual offence, but to prosecute for a non-sexual offence, such a decision was not included within the statistics.

As such the counting rules employed in April 2018 did not give a full count of decisions in relation to rape and other sexual offences. Therefore, a revised counting methodology has been adopted as follows:

Prosecutorial Decisions Issued by Decision Type – Rape (Table 4b) includes all decisions in respect of suspects charged or reported for an offence of rape, including:

- Suspects prosecuted or dealt with by way of a diversion for an offence of rape;
- Suspects not prosecuted for the offence of rape but prosecuted or dealt with by way of a diversion for an ‘other’ sexual offence; and
- Suspects not prosecuted for the offence of rape or an ‘other’ sexual offence, but prosecuted or dealt with by way of a diversion for a non-sexual offence.

Prosecutorial Decisions Issued by Decision Type – Other Sexual Offences (Table 4c) includes all decisions in respect of suspects charged or reported for an ‘other’ sexual complaint offence (i.e. excluding rape), including:

- Suspects prosecuted or dealt with by way of a diversion for an ‘other’ sexual offence; and
- Suspects not prosecuted for an ‘other’ sexual offence but prosecuted or dealt with by way of a diversion for a non-sexual offence.

Users are asked to read full details of the counting rules applied in the preparation of statistics for this bulletin which are included within the 'Explanatory Notes' section on page 24.

Further details about the bulletin are available in the 'User Information' section on page 29.

If you have any feedback, questions or requests for further information about this bulletin, please contact us as follows:

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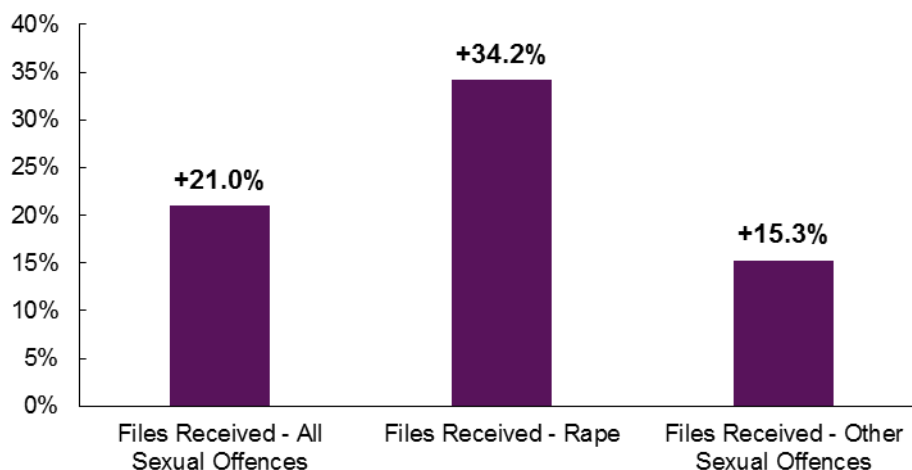
Summary of Key Points

Figures quoted are for the 2017/18 financial year, 1 April 2017 to 31 March 2018, unless otherwise stated. This summary should be read together with the explanatory notes provided (see pages 24 - 28).

Files Received by File Type (Table 1)

- The PPS received 1,587 files involving a sexual offence during the financial year. This was an increase of 21.0% on 2016/17 (1,312).
- Over this period there was a rise of 34.2% in the number of files received involving an offence of rape, from 395 to 530. There was also an increase (15.3%) in the number of files involving other sexual offences, which rose from 917 to 1,057.

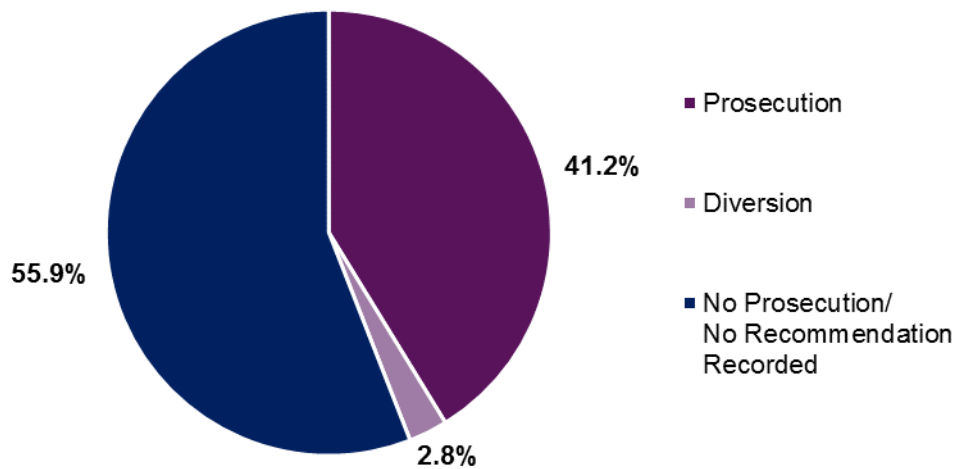
Chart 1: Number of Files Received by Offence Category - Percentage Change between 2016/17 and 2017/18



Suspects on Files Received by Police Recommendation (Table 2)

- During 2017/18, the files received included a total of 1,700 suspects, representing a 21.5% increase on 2016/17 (1,399).
- Of the 1,700 suspects, 567 were charged or reported in respect of rape (an increase of 36.6% on 2016/17) and 1,133 were in respect of other sexual offences (an increase of 15.1%).
- Police recommended prosecution or diversion for just over two-fifths (44.1%) of all suspects. This compared with 48.8% in 2016/17.

**Chart 2: Suspects on Files Received by Police Recommendation Type (%)
2017/18**



Information Requests Submitted to Police by Request Type (Table 3)

- A total of 1,478 information requests were submitted to police during 2017/18 in relation to cases involving a sexual offence, an increase of 11.1% on 2016/17 (1,330).
- During the current period 43.6% of all requests submitted were 'Post Decision Information Requests', 43.5% were 'Decision Information Requests' and 12.2% were 'Full File Requests'.

Prosecutorial Decisions Issued by Decision Type (Table 4a-c)¹

- During 2017/18, 1,652 prosecutorial decisions were issued in respect of suspects in cases involving a sexual offence, representing an increase of 43.5% on 2016/17 (1,151 decisions).
- Of the decisions issued during the year, the evidential Test for Prosecution was met for at least one offence (i.e. any offence) in 26.6% of decisions. This included 398 decisions for prosecution and 42 for diversion from the courts. At 26.6%, the percentage of decisions meeting the Test represents a reduction on 2016/17 (40.2%).
- The evidential Test for Prosecution was met in relation to a sexual offence for over one fifth of decisions (23.2%). This included 351 decisions for prosecution and 32 for diversion from the courts. At 23.2%, the percentage of decisions meeting the Test represents a reduction on 2016/17 (34.7%).

¹ Please note that prosecutorial decisions figures presented here for 2016/17 differ from those published in the 2016/17 publication due to the use of a revised counting methodology in relation to decisions. The revised methodology is outlined on page 5 and detailed also in the explanatory notes on page 24.

Prosecutorial Decisions Issued – Reasons for No Prosecution (Table 4d)

- Of the 1,212 no prosecution decisions issued during 2017/18, the vast majority (97.0%) did not pass the evidential test. The remaining 3.0% did not pass the public interest test.

Average Days Required for the Issue of Prosecutorial Decisions by Decision Type (Table 4e)

- During 2017/18 indictable prosecution decisions in respect of sexual offences were issued in an average of 285 calendar days. This compared with 229 days during 2016/17. Summary prosecution decisions required an average of 87 days, 17 days more than in 2016/17 (70).

Summonses Issued in Police Cases by Service Method and PPS Region (Table 5)

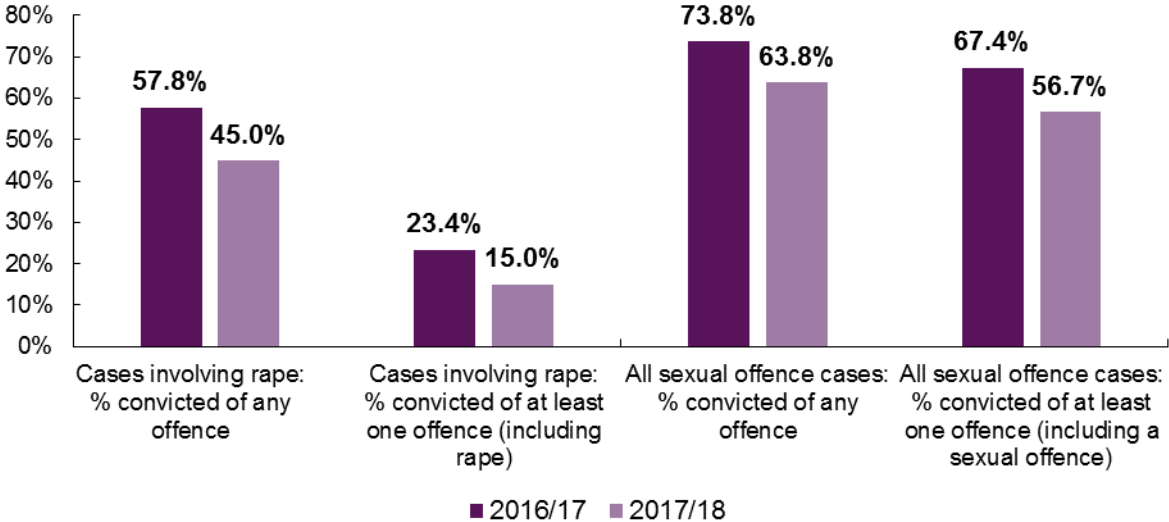
- A total of 276 summonses were issued in cases involving a sexual offence during 2017/18, a decrease of 10.4% on 2016/17 (308). Comparing 2016/17 and 2017/18, the number of summonses issued via postal service increased by 5.5%, while those issued via personal service decreased by 19.1%.
- Just under three-fifths (58.3%) of summonses issued during the current period were served on the defendant by personal service by police and the remainder (41.7%) via postal service.

Defendants Dealt with in the Crown Court by Outcome (Tables 6a-6c)

- During 2017/18, 224 defendants were dealt with in the Crown Court in relation to a sexual offence, a decrease of 16.1% on 2016/17 (see Table 6a).²
- Of the 224 defendants, 63.8% were convicted of at least one offence (i.e. of any offence). Just under three-fifths (56.7%) were convicted of a sexual offence.
- The overall conviction rate in 2017/18, at 63.8%, compared with 73.8% in 2016/17.
- During 2017/18, 60 defendants were dealt with in the Crown Court for an offence of rape (Table 6b). Of these defendants, 45.0% were convicted of at least one offence (i.e. of any offence). Approximately one in six defendants (15.0%) was convicted of an offence of rape.

² It should be noted that the volume of cases dealt with in the Crown Court during 2016-17 was well above normal levels. The withdrawal of defence services by the Bar Council and Law Society, in response to the Legal Aid reforms introduced by the Department of Justice, meant that no new cases were conducted in the Crown Court over the period from May 2015 to February 2016. Following the resolution of the dispute, the backlog of cases then had to be dealt with during the 2016/17 financial year.

**Chart 3: Conviction Rates – Crown Court (Rape / All Sexual Offences)
2016/17 and 2017/18**



Defendants Dealt with in the Magistrates’ and Youth Courts by Outcome (Table 7)

- A total of 141 defendants were dealt with in the Magistrates’ and Youth Courts for a sexual offence during 2017/18, a decrease of 4.7% on the previous financial year (148).
- Of the defendants dealt with during 2017/18, 65.2% were convicted of at least one offence (i.e. of any offence). Just over half (55.3%) were convicted of a sexual offence.
- At 65.2%, the overall conviction rate represents a 2.4 percentage point increase on 2016/17 (62.8%).

**Chart 4: Conviction Rates – Magistrates’ and Youth Courts (All Sexual Offences)
2016/17 and 2017/18**

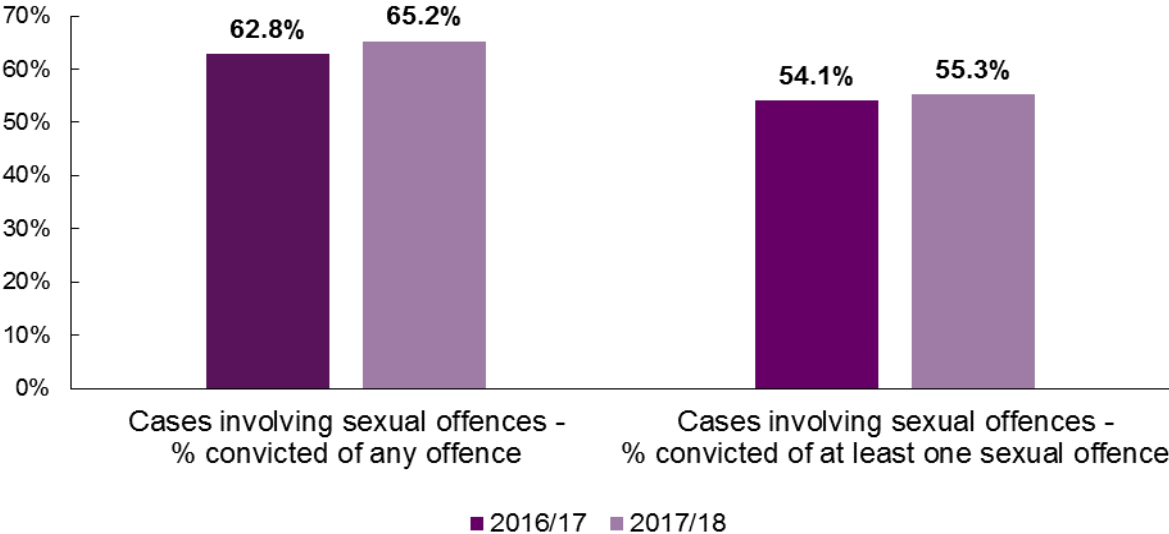


Table 1: Files Received by File Type

2016/17 and 2017/18 ¹

Financial Year	File Type ²	Number of files		
		Rape	Other Sexual Offences	All Sexual Offences
		Number	Number	Number
2017/18	Indictable	490	146	636
	Hybrid	39	898	937
	Summary	1	13	14
	All Files	530	1,057	1,587
2016/17	Indictable	351	134	485
	Hybrid	44	770	814
	Summary	N/A	13	13
	All Files	395	917	1,312
% Change (Files Received) 2016/17 to 2017/18		34.2%	15.3%	21.0%

¹ Refers to the financial year; i.e. 1 April to 31 March.

² See explanatory notes, page 24.

Table 2: Suspects on Files Received by Police Recommendation

2016/17 and 2017/18 ¹

		Number of persons (files received)		
		Rape	Other Sexual Offences	All Sexual Offences
Financial Year	Recommendation ²	Number	Number	Number
2017/18	Prosecution	158	543	701
	Diversion	6	42	48
	No Prosecution/ No Recommendation	403	548	951
	All Suspects	567	1,133	1,700
2016/17	Prosecution	143	484	627
	Diversion	7	49	56
	No Prosecution/No Recommendation	265	451	716
	All Suspects	415	984	1,399
% Change (Suspects Received) 2016/17 to 2017/18		36.6%	15.1%	21.5%

¹ Refers to the financial year; i.e. 1 April to 31 March.

² See explanatory notes, page 25.

Table 3: Information Requests Submitted to Police by Request Type

2016/17 and 2017/18 ¹

Financial Year	Request Type ²	Number of requests		
		Rape Number	Other Sexual Offences Number	All Sexual Offences Number
2017/18	Full File Request	39	142	181
	Decision Information Request	192	451	643
	Post Decision Information Request	126	519	645
	No Decision	5	4	9
	All Requests Submitted	362	1,116	1,478
2016/17	Full File Request	32	105	137
	Decision Information Request	167	359	526
	Post Decision Information Request	173	490	663
	No Decision	1	3	4
	All Requests Submitted	373	957	1,330
% Change (Requests Submitted) 2016/17 to 2017/18		-2.9%	16.6%	11.1%

¹ Refers to the financial year; i.e. 1 April to 31 March.

² See explanatory notes, page 25.

Table 4a: Prosecutorial Decisions Issued by Decision Type – All Sexual Offences

2016/17 and 2017/18 ¹

Type of Decision ²		Number of persons (decisions issued)		
		2017/18	2016/17	
For Sexual Offences	Indictable prosecution	171	220	
	Summary prosecution	180	143	
	All Prosecution Decisions-For Sexual Offences	351	363	
	Caution	20	18	
	Informed warning	-	-	
	Youth conference	#	#	
	Other	0	0	
	All Diversion Decisions-For Sexual Offences	32	36	
	For Other Offences	Indictable prosecution	7	6
		Summary prosecution	40	40
All Prosecution Decisions-For Other Offences		47	46	
Caution		4	9	
Informed warning		-	-	
Youth conference		#	#	
Other		0	0	
All Diversion Decisions-For Other Offences		10	18	
No Prosecution		1,212	688	
All Decisions Issued		1,652	1,151	
Overall % meeting the Test for Prosecution (for any offence)³		26.6%	40.2%	
% meeting the Test for Prosecution (for a sexual offence)³		23.2%	34.7%	
% Change (Decisions Issued) 2016/17 to 2017/18		43.5%		

¹ Refers to the financial year; i.e. 1 April to 31 March.

² See explanatory notes, page 25.

³ For explanation of how the percentage meeting the Test for Prosecution is calculated, please see explanatory notes page 26.

"-" refers to a count less than 3.

"#" refers to a number >=3 which has been suppressed to prevent disclosure of small numbers elsewhere.

Table 4b: Prosecutorial Decisions Issued by Decision Type – Rape

2016/17 and 2017/18 ¹

	Type of Decision ²	Number of persons (decisions issued)	
		2017/18	2016/17
For an offence of rape	Indictable prosecution	44	#
	Summary prosecution	#	-
	Diversion *	-	N/A
	All Prosecution & Diversion Decisions- For an offence of rape	49	55
For Other Sexual Offences	All Prosecutions & Diversion Decisions- For Other Sexual Offences*	15	15
For Other Offences	All Prosecutions & Diversion Decisions-For Other Offences*	7	4
	No Prosecution	456	232
	All Decisions Issued	527	306
	Overall % meeting the Test for Prosecution (for any offence)³	13.5%	24.2%
	% meeting the Test for Prosecution (for an offence of rape)³	9.3%	18.0%
	% meeting the Test for Prosecution (for a sexual offence including rape)³	12.1%	22.9%
	% Change (Decisions Issued) 2016/17 to 2017/18	72.2%	

¹ Refers to the financial year; i.e. 1 April to 31 March.

² See explanatory notes, page 25.

³ For explanation of how the percentage meeting the Test for Prosecution is calculated, please see explanatory notes page 26.

"-" refers to a count less than 3.

"#" refers to a number ≥ 3 which has been suppressed to prevent disclosure of small numbers elsewhere.

"**" refers to a category where a detailed breakdown cannot be provided due to small numbers involved.

Table 4c: Prosecutorial Decisions Issued by Decision Type – Other Sexual Offences

2016/17 and 2017/18 ¹

		Number of persons (decisions issued)	
		2017/18	2016/17
For Other Sexual Offences	Type of Decision ²		
	Indictable prosecution	117	#
	Summary prosecution	174	#
	All Prosecution Decisions-For Other Sexual Offences	291	296
	Caution	#	#
	Informed warning	-	-
	Youth conference	#	#
	Other	0	0
	All Diversion Decisions-For Other Sexual Offences	28	33
	<hr/>		
For Other Offences	All Prosecutions & Diversion Decisions-For Other Offences*	50	60
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	No Prosecution	756	456
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	All Decisions Issued	1,125	845
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	Overall % meeting the Test for Prosecution (for any offence)³	32.8%	46.0%
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	% meeting the Test for Prosecution (for other sexual offences)³	28.4%	38.9%
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	% Change (Decisions Issued) 2016/17 to 2017/18	33.1%	

¹ Refers to the financial year; i.e. 1 April to 31 March.

² See explanatory notes, page 25.

³ For explanation of how the percentage meeting the Test for Prosecution is calculated, please see explanatory notes page 26.

"-" refers to a count less than 3.

"#" refers to a number >=3 which has been suppressed to prevent disclosure of small numbers elsewhere.

"**" refers to a category where a detailed breakdown cannot be provided due to small numbers involved.

Table 4d: Prosecutorial Decisions Issued - Reasons for No Prosecution

2016/17 and 2017/18 ¹

Financial Year	Reason for no prosecution ²	Number of persons (decisions issued)		
		Rape Number	Other Sexual Offences Number	All Sexual Offences Number
2017/18	Did not pass the evidential test	450	726	1,176
	Did not pass the public interest test	6	30	36
	All No Prosecution Decisions	456	756	1,212
2016/17	Did not pass the evidential test	#	#	664
	Did not pass the public interest test	-	#	24
	All No Prosecution Decisions	232	456	688
% Change (No prosecution decisions issued) 2016/17 to 2017/18		96.6%	65.8%	76.2%

¹ Refers to the financial year; i.e. 1 April to 31 March.

² See explanatory notes, page 26.

"-" refers to a count less than 3.

"#" refers to a number >=3 which has been suppressed to prevent disclosure of small numbers elsewhere.

Table 4e: Average Days Required for the Issue of Prosecutorial Decisions by Decision Type

2016/17 and 2017/18 ¹

Financial Year	Type of Decision ²	Average (calendar) days			
		Rape	Other Sexual Offences	All Sexual Offences	
2017/18	Prosecution	Indictable prosecution	362	258	285
		Summary prosecution	203	85	87
	Diversion	Caution	N/A	100	100
		Informed warning	N/A	42	42
		Youth conference	-	61	63
		Other	N/A	N/A	N/A
	No Prosecution	120	123	122	
2016/17	Prosecution	Indictable prosecution	334	198	229
		Summary prosecution	-	65	70
	Diversion	Caution	N/A	100	100
		Informed warning	N/A	41	41
		Youth conference	N/A	64	64
		Other	N/A	N/A	N/A
	No Prosecution	125	113	117	

¹ Refers to the financial year; i.e. 1 April to 31 March.

² Average days includes time taken for police to respond to decision information requests (see explanatory notes, page 27).

"-" refers to an average based on a count of less than 3.

Table 5: Summonses Issued by Service Method

2016/17 and 2017/18 ¹

Quarters	Service Method ²	Number of summonses		
		Rape	Other Sexual Offences	All Sexual Offences
		Number	Number	Number
2017/18	Postal Service	4	111	115
	Personal Service	42	119	161
	All Summonses	46	230	276
2016/17	Postal Service	4	105	109
	Personal Service	46	153	199
	All Summonses	50	258	308
% Change (Summonses Issued)				
2016/17 to 2017/18		-8.0%	-10.9%	-10.4%

¹ Refers to financial year; i.e. 1 April to 31 March.

² See explanatory notes, page 27.

Table 6a: Defendants Dealt with in the Crown Court by Outcome – All Sexual Offences

2016/17 and 2017/18 ¹

Financial Year	Outcome ²	Number of persons (defendants)
		All Sexual Offences
		Number
2017/18	Convicted of at least one offence	143
	<i>Of which:</i>	
	<i>Convicted of at least one sexual offence (including rape)</i>	9
	<i>Convicted of at least one sexual offence (excluding rape)</i>	118
	<i>Convicted of at least one other offence</i>	16
	Acquitted	78
	Other	3
	All Defendants	224
	Conviction Rate ² – Any offence (%)	63.8
	Conviction Rate ² – At least one sexual offence (%)	56.7
2016/17	Convicted of at least one offence	197
	<i>Of which:</i>	
	<i>Convicted of at least one sexual offence (including rape)</i>	15
	<i>Convicted of at least one sexual offence (excluding rape)</i>	165
	<i>Convicted of at least one other offence</i>	17
	Acquitted	68
	Other	2
	All Defendants	267
	Conviction Rate ² – Any offence (%)	73.8%
	Conviction Rate ² – At least one sexual offence (%)	67.4%
% Change (Defendants dealt with) 2016/17 to 2017/18³		-16.1%

¹ Refers to the financial year; i.e. 1 April to 31 March.

² See explanatory notes, pages 27-28.

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. Following the resolution of the dispute, the backlog of cases then had to be dealt with during the 2016/17 financial year.

Table 6b: Defendants Dealt with in the Crown Court by Outcome – Rape

2016/17 and 2017/18 ¹

Financial Year	Outcome ²	Number of persons (defendants)
		Rape
		Number
2017/18	Convicted of at least one offence	27
	<i>Of which:</i>	
	<i>Convicted of at least one sexual offence including rape</i>	9
	<i>Convicted of at least one sexual offence but not including rape</i>	15
	<i>Convicted of at least one other offence</i>	3
	Acquitted	32
	Other	1
	All Defendants	60
	Conviction Rate ², Any offence (%)	45.0%
	Conviction Rate ², Rape (%)	15.0%
2016/17	Convicted of at least one offence	37
	<i>Of which:</i>	
	<i>Convicted of at least one sexual offence including rape</i>	15
	<i>Convicted of at least one sexual offence but not including rape</i>	17
	<i>Convicted of at least one other offence</i>	5
	Acquitted	27
	Other	0
	All Defendants	64
	Conviction Rate ², Any offence (%)	57.8%
	Conviction Rate ², Rape (%)	23.4%
% Change (Defendants dealt with) 2016/17 to 2017/18³		-6.3%

¹ Refers to the financial year; 1 April to 31 March.

² See explanatory notes, pages 27-28.

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. Following the resolution of the dispute, the backlog of cases then had to be dealt with during the 2016/17 financial year.

Table 6c: Defendants Dealt with in the Crown Court by Outcome – Other Sexual Offences

2016/17 and 2017/18 ¹

		Number of persons (defendants)
		Other Sexual Offences
Financial Year	Outcome ²	Number
2017/18	Convicted of at least one offence	116
	<i>Of which:</i>	
	<i>Convicted of at least one sexual offence (excluding rape)</i>	103
	<i>Convicted of at least one other offence</i>	13
	Acquitted	46
	Other	2
	All Defendants	164
	Conviction Rate ² – Any offence (%)	70.7%
Conviction Rate ² – At least one sexual offence (excluding rape) (%)	62.8%	
2016/17	Convicted of at least one offence	160
	<i>Of which:</i>	
	<i>Convicted of at least one sexual offence (excluding rape)</i>	148
	<i>Convicted of at least one other offence</i>	12
	Acquitted	41
	Other	2
	All Defendants	203
	Conviction Rate ² – Any offence (%)	78.8%
Conviction Rate ² – At least one sexual offence (excluding rape) (%)	72.9%	
% Change (Defendants dealt with) 2016/17 to 2017/18³		-19.2%

¹ Refers to the financial year; 1 April to 31 March.

² See explanatory notes, pages 27-28.

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. Following the resolution of the dispute, the backlog of cases then had to be dealt with during the 2016/17 financial year.

Table 7: Defendants Dealt with in the Magistrates' and Youth Courts by Outcome – All Sexual Offences¹
2016/17 and 2017/18 ²

Financial Year	Outcome ³	Number of persons (defendants)
		All Sexual Offences
		Number
2017/18	Convicted of at least one offence	92
	<i>Of which:</i>	
	<i>Convicted of at least one sexual offence</i>	78
	<i>Convicted of at least one other offence</i>	14
	Acquitted	21
	Other	28
	All Defendants	141
	Conviction Rate ³ – Any offence (%)	65.2%
Conviction Rate ³ – At least one sexual offence (%)	55.3%	
2016/17	Convicted of at least one offence	93
	<i>Of which:</i>	
	<i>Convicted of at least one sexual offence</i>	80
	<i>Convicted of at least one other offence</i>	13
	Acquitted	34
	Other	21
	All Defendants	148
	Conviction Rate ³ – Any offence (%)	62.8%
Conviction Rate ³ – At least one sexual offence (%)	54.1%	
% Change (Defendants dealt with) 2016/17 to 2017/18³		-4.7%

¹ Includes defendants under 18 years dealt with summarily in the Youth Courts for an offence of rape (see note to Tables 4a-c on pages 25-26).

² Refers to the financial year; i.e. 1 April to 31 March.

³ See explanatory notes, page 27-28.

Explanatory Notes

All Tables - Counting Rules

Findings are presented for 'Rape', 'Other Sexual Offences' and 'All Sexual Offences'. The category 'All Sexual Offences' includes a combination of rape and other sexual offences. Details of the offences included within each category are set out in the supporting document 'Sexual Offences Classification (Offence Description and Legislation)' available on the PPS website at www.ppsni.gov.uk/thematic-statistical-bulletins-7882.html).

All files, decisions or disposals involving a sexual offence are included within the statistics in this bulletin, irrespective of whether that offence is the 'primary' offence (i.e. the most serious) at the file submission, decision or disposal stages.

For files and disposals, the 'Rape' category includes files or disposals with an offence of rape. Where a suspect has a complaint of rape in addition to one of the other sexual offences, this suspect is counted within the 'Rape' category only, and not within the 'Other Sexual Offences' category. 'Other Sexual Offences' includes files and disposals involving a sexual offence, but which is not an offence of rape.

Prosecutorial Decisions Issued are counted as follows:

Prosecutorial Decisions Issued by Decision Type – Rape includes all decisions in respect of suspects charged or reported for an offence of rape, including:

- Suspects prosecuted or dealt with by way of a diversion for an offence of rape;
- Suspects not prosecuted for the offence of rape but prosecuted or dealt with by way of a diversion for an 'other' sexual offence; and
- Suspects not prosecuted for the offence of rape or an 'other' sexual offence, but prosecuted or dealt with by way of a diversion for a non-sexual offence.

Prosecutorial Decisions Issued by Decision Type – Other Sexual Offences includes all decisions in respect of suspects charged or reported for an 'other' sexual complaint offence (i.e. excluding rape), including:

- Suspects prosecuted or dealt with by way of a diversion for an 'other' sexual offence; and
- Suspects not prosecuted for an 'other' sexual offence but prosecuted or dealt with by way of a diversion for a non-sexual offence.

Table 1

The PSNI is responsible for the investigation of crimes and the identification of suspects. When an individual is identified as a suspect, the PSNI will prepare an evidence file and submit it to the PPS, which in turn is responsible for considering the evidence and taking a decision as to prosecution.

There are two ways for the police to submit a file to the PPS:

- by charging the suspect followed by a report (i.e. submission of a file to the PPS); or
- by report without charging the suspect.

Where an individual has not been charged and a decision is taken subsequently by the PPS to prosecute, the prosecution will normally be initiated by way of a summons.

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 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.

Table 2

When a file is submitted by the police to the PPS, police may make a recommendation as to how each suspect should be dealt with. Where police make a recommendation, it can be for prosecution, diversion or no prosecution.

Table 2 provides details of the most serious police recommendation pertaining to each suspect where there is an offence of rape or other sexual offence. It should be noted that as the recommendation relates to the most serious recommendation pertaining to each suspect the recommendation in relation to the rape or other sexual offence may have been different.

The data in Table 2 include both defendants charged by police and those reported without charge. Defendants who have been charged by police and then reported to PPS are counted as being recommended for prosecution.

Table 3

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 4a-c

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.
- An *informed warning* is also a formal reprimand administered by police and is recorded on a person's criminal record.
- 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.
- '*Other*' *diversionary options* include referrals to the National Driver Alertness Course 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).

It should be noted that where a child under 18 years is charged with any indictable offence other than homicide and (a) the court thinks it is expedient to deal with the case summarily; (b) the parent or guardian of a child under the age of 14 (or in any other case the child) is informed by the court of his/her right to have the case tried by a jury and consents to the case being dealt with summarily; and (c) the prosecution consents, then the court may deal summarily with the offence (i.e. in the Youth Courts).

Please note that the percentage meeting the Test for Prosecution is calculated as follows:

- Overall percentage meeting the Test for Prosecution (for any offence) – this includes all prosecutions and diversions whether or not these are for an offence of rape or an 'other' sexual offence. For example, where a defendant is prosecuted or dealt with by way of diversion for a related offence (e.g. a physical assault) but not for a rape or an 'other' sexual offence, this is counted as a prosecution.
- For a sexual offence – this includes prosecutions and diversions for a sexual offence.
- For an offence of rape – this includes prosecutions or diversions specifically for an offence of rape.

Table 4d

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 4e

As mentioned in note to Table 4a, 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 3 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 5

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.

Tables 6a-c

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; strike out. 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 7

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; strike out. 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 6a-c and 7

Conviction rates are calculated on the basis of the number of persons convicted as a percentage of all persons dealt with during the period.

It should be noted that conviction rates are presented in three different ways, based either:

- On a conviction for any offence; that is a conviction for any offence whether or not it is a sexual offence (see Tables 6a-c, Table 7). This follows the normal PPS convention for the calculation of conviction rates. For example, there may be occasions where the defendant pleads guilty / is found guilty of a related offence (e.g. a physical assault), but not guilty of the sexual offence. For the purposes of this calculation, the defendant would be counted as convicted; or
- On a conviction specifically for any sexual offence (see Tables 6a, 6c and 7); or
- On a conviction specifically for an offence of rape (see Table 6b).

Please note that the Department of Justice (Northern Ireland) 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.

Rounding conventions

Percentages have been rounded to whole numbers or to one decimal place and may not always sum to 100%.

Disclosure control

Where small numbers (less than 3) within the tables have the potential to disclose sensitive information, disclosure controls have been applied and numbers less than three have been suppressed (see notes to individual tables).

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 at the back of this bulletin.

Future publications

The next Statistical Bulletin in this series, covering the financial year 2018/19, will be published in autumn 2019.

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