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Analytical Services Group

**Court Prosecutions,
Convictions and Out of
Court Disposals
Statistics for Northern
Ireland, 2018**

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KEY FINDINGS

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 2018, as well as for out of court disposals completed within the same period.

PROSECUTIONS AND CONVICTIONS

- The number of prosecutions disposed at Crown Court in 2018 was 1,392, a 12.3% decrease from 1,587 in 2017. However, the number of prosecutions at magistrates' courts rose 4.3% from 26,767 in 2017 to 27,916 in 2018.
- In 2018, 85.0% (24,921) of prosecutions in all courts resulted in a conviction, up from, 83.3% (23,630) in 2017.
- The majority, 81.9% (24,017), of prosecutions completed at all courts in 2018, were cases where the defendant was male (Crown Court, 88.9% (1,238) and magistrates' courts, 81.6% (22,779)).
- Persons in the 30 – 39 year old age band made up 27.7% (8,109) of all prosecutions at courts and 27.7% (6,908) of those convicted at all courts in 2018, more defendants than in any other age band.
- Of all offence categories, motoring offences made up the largest proportion of prosecutions at all courts: 13,011 (44.4% of all prosecutions) in 2018. Of all offence categories, drugs offences had the highest conviction rate at all courts, at 94.0% (2,257).
- Monetary penalties were the most frequently utilised disposal at all courts in 2018, with 56.6% (14,097) of all convictions having this type of disposal as their primary outcome. A custodial outcome was imposed in 12.0% (3,001) of cases at all courts in 2018.

OUT OF COURT DISPOSALS

- A total of 1,602 Penalty Notices for Disorder (PNDs) were issued in 2018, 79.6% of which were to males. Public Order offences constituted the largest proportion of PNDs issued, with 42.2% (676) of all PNDs issued for offences in this category.
- The number of out of court, diversionary disposals recorded against individuals' criminal records in 2018 was 4,359, a fall of 7.6% from 4,715 in

2017. Most diversionary disposals were dealt with by way of caution, with 77.8% (3,392) of all diversionary disposals dealt with in this way.

- Of all those who received a diversionary disposal in 2018, most were in the younger age categories, with 52.2% (2,277) of all diversionary disposals handed out to the under 25 year old age group.
- In 2018, 75.8% (3,306) of all diversionary disposals were handed down to males.
- Of all diversionary disposals, 22.8% (996) were handed down for drug offences and a further 22.4% (975) were for violence against the person offences.

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1. INTRODUCTION

This bulletin presents data on the number of prosecutions and convictions for magistrates' courts and the Crown Court in Northern Ireland for the year 2018. Data for the youth court, a special magistrates' court which deals with proceedings against juveniles between the ages of 10 and 17, are included with those for magistrates' courts. Data 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) during this time period are also reported. Some detail on the structure of the known offending population in 2018, with information on the breakdown of offences committed and the disposals received, is also included.

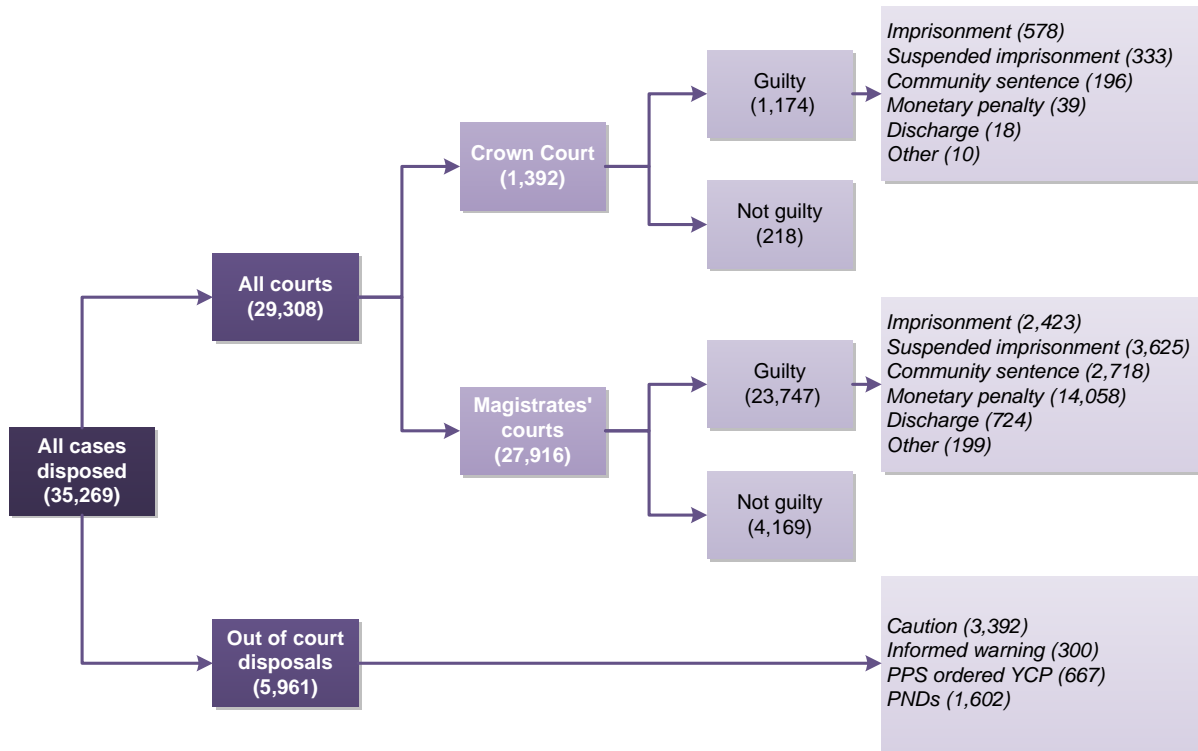
The data upon which the publication is based are used to inform policy decisions within the Department of Justice (DoJ), as well as to inform requests from other Government organisations, answers to NI Assembly questions and queries from the general public. Information from the 'prosecutions, convictions and diversions' database is also used in the DoJ 'reoffending' and 'first time offender' datasets.

2. MAIN FINDINGS

The findings detailed in this report are split into two main sections: the first deals with prosecutions and convictions at courts in Northern Ireland in 2018 and the second deals with out of court disposals issued over the same period. All commentary relates to tables listed in Appendix 1 to this document.

In total, there were 35,629 separate cases disposed in 2018, whether at court or through out of court disposal. This is slightly more than the 35,071 cases disposed in 2017, but is still low when compared with totals for other recent years (Figure 1).

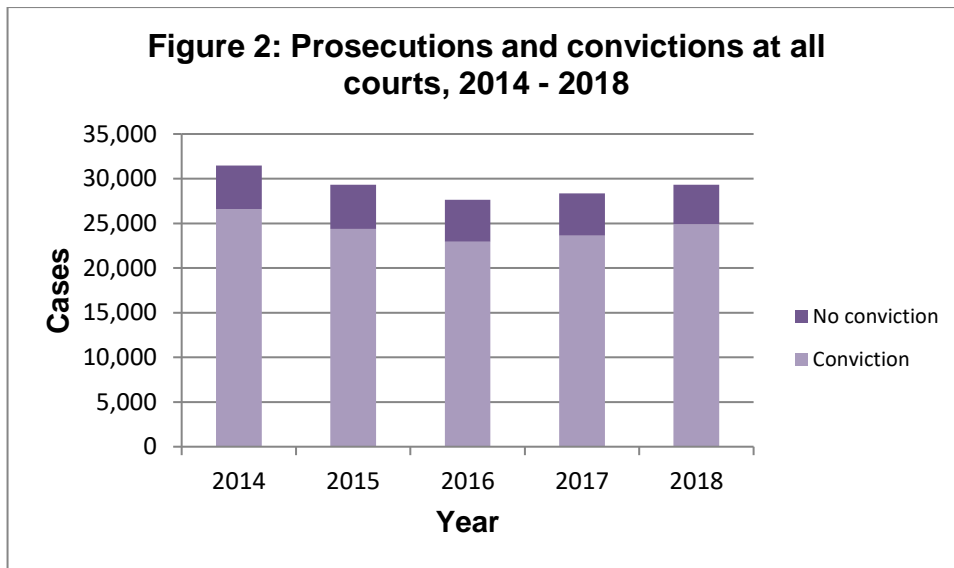
Figure 1: Outcomes of cases dealt with at court and by out of court disposal, 2018



2.1 Prosecutions and Convictions at Courts - Overview

The number of prosecutions disposed at all courts was 29,308 in 2018, up 3.4% from 28,354 in 2017. Similarly, the number of prosecutions in magistrates' courts in 2018 was 27,916, a rise of 4.3% from 26,767 in 2017. However, the number of prosecutions in Crown Court in 2018 was 1,392, a decrease of 12.3% from the total of 1,587 in 2017 and the lowest number of cases dealt with at Crown Court in the last five years.

In 2018, 85.0% (24,921) of prosecutions in all courts resulted in a conviction, a conviction rate slightly higher than that observed in 2017 (83.3%) and the highest in the last five years (Figure 2).

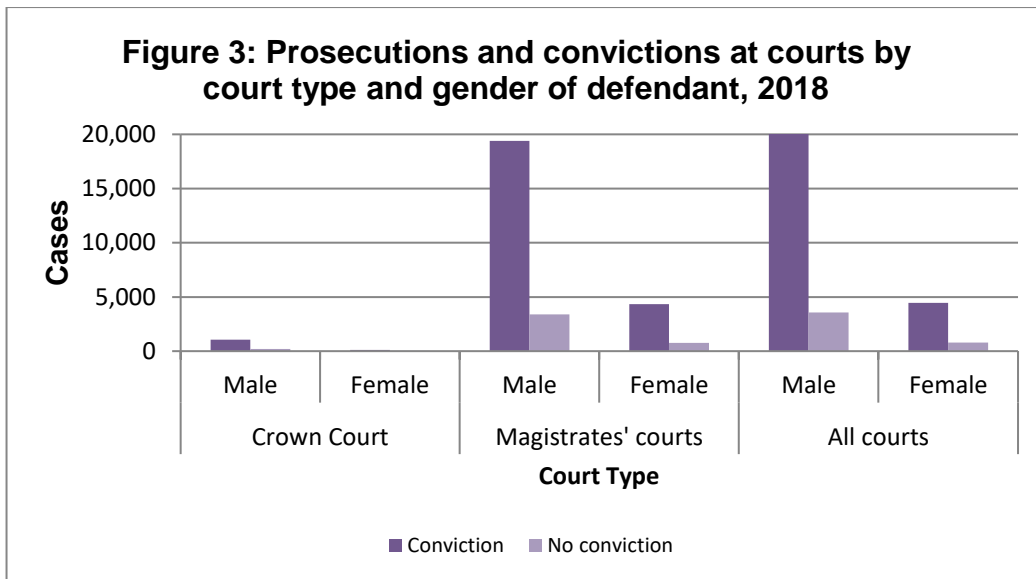


At 84.3% (1,174), the conviction rate for cases disposed at Crown Court was higher in 2018 than that for 2017 (83.9%), though it is still the second lowest observed for cases dealt with at Crown court in the last five years. In magistrates' courts, 85.1% (23,747) cases disposed in 2018 resulted in a conviction. This was higher than that observed in 2017 (83.3%) and the highest in any of the last five years (Table 1a, 1b and 1c in the accompanying [spreadsheet](#)).

2.2 Prosecutions and Convictions at courts – Gender of defendants

Males constituted the majority of people prosecuted in all courts in 2018. Of all those prosecuted, 81.9% (24,017) were male. In the Crown Court, the proportion of prosecutions brought where the defendant was male was slightly higher at 88.9% (1,238), whereas, in magistrates' courts, the proportion of prosecutions brought where the defendant was male was 81.6% (22,779).

Prosecutions brought at all courts resulted in a conviction rate of 85.1% for males and 84.8% for females in 2018. In magistrates' courts in 2018, the conviction rate for males was 85.1% and, for females, was 84.9%. However, when the gender of the defendant was taken into account in relation to convictions in Crown Court in 2018, the conviction rate for males was 84.7%, compared to a rate of 81.7% for females.

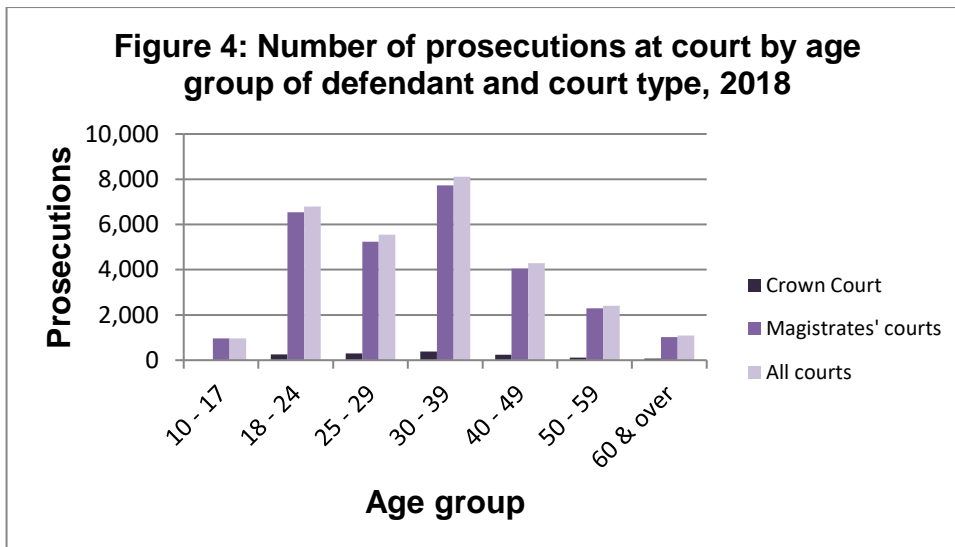


In addition, a small number of prosecutions were classified as against 'others'. This included transgender individuals, companies and other public bodies and those for whom no gender was recorded (Table 2a, 2b and 2c in the accompanying [spreadsheet](#)) (Figure 3).

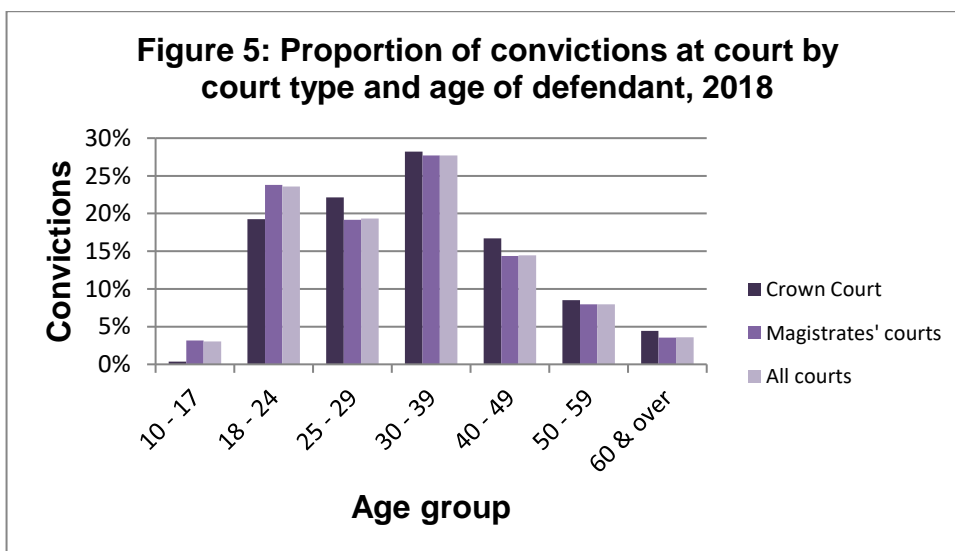
2.3 Prosecutions and Convictions at courts - Age Group of defendants

The age group of defendants for which the highest percentage of prosecutions were brought at all courts in 2018 was the 30 – 39 year old age group. In 2018, 27.7% (8,109) of prosecutions were against this age group. The same was true for prosecutions brought in magistrates' courts in 2018, with 27.7% (7,731) of prosecutions brought against defendants in this 30 – 39 year old age group. At Crown Court, the age group of defendants for which the highest percentage of prosecutions were brought was also the 30 – 39 year old age group. In 2018, 27.2% (378) of prosecutions were brought against defendants in this age group (Figure 4).

The age group of defendants for which the highest percentage of convictions were handed down at all courts in 2018 was similarly the 30 – 39 year old age group. In 2018, 27.7% (6,908) of convictions were handed down to defendants in this age group. Proportionately, defendants in the 30 – 39 year old age group accounted for 28.2% (331) of convictions in the Crown Court and 27.7% (6,577) of convictions in magistrates' courts in 2018.



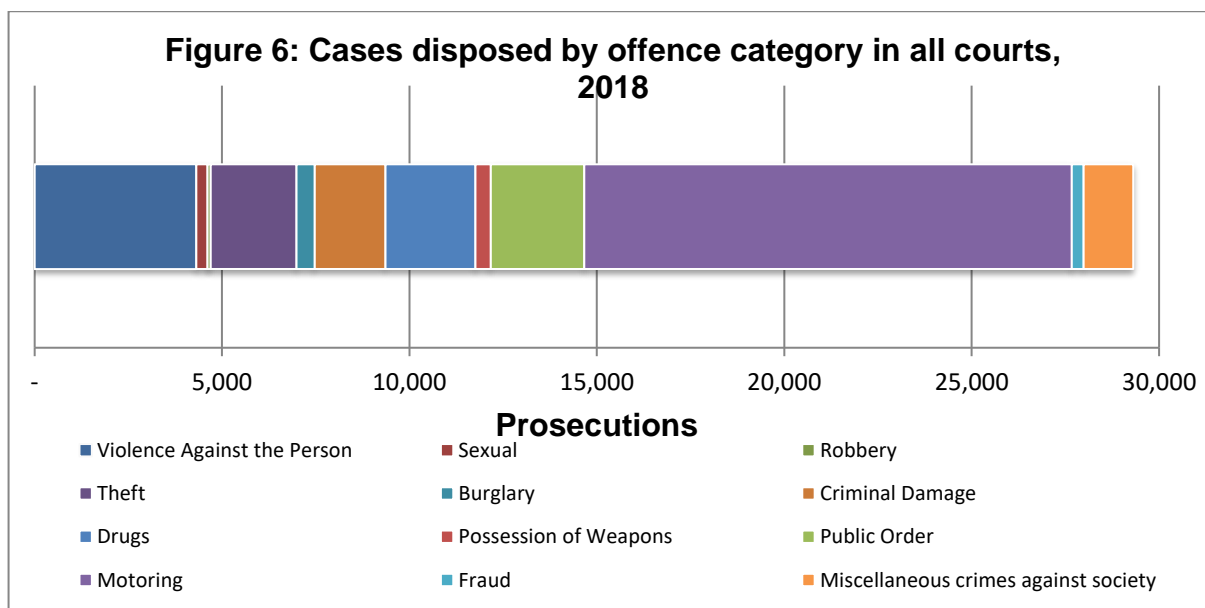
Proportionally, a smaller percentage of prosecutions in Crown Court, 0.3% (4), were against defendants in the 10 – 17 age group in 2018, compared with those in magistrates’ courts, 3.4% (959). In 2018, the proportion of all convictions handed down in Crown Court to those in the 10 – 17 year old age group was 0.3% (4), whereas, in magistrates’ courts, 3.2% (755) all convictions were handed down to defendants in the 10 – 17 year old age group.



The adult age group with the highest likelihood of conviction at Crown Court was the 18 – 24 year old group, with 88.3% (226) of prosecutions against a defendant in this age group resulting in a conviction, while in magistrates’ courts, the age group with the highest likelihood of conviction was the 25 – 29 year old group, 86.9% (4,557) (Tables 3a, 3b and 3c in the accompanying [spreadsheet](#)) (Figure 5).

2.4 Prosecutions and Convictions at courts - Offence Classifications

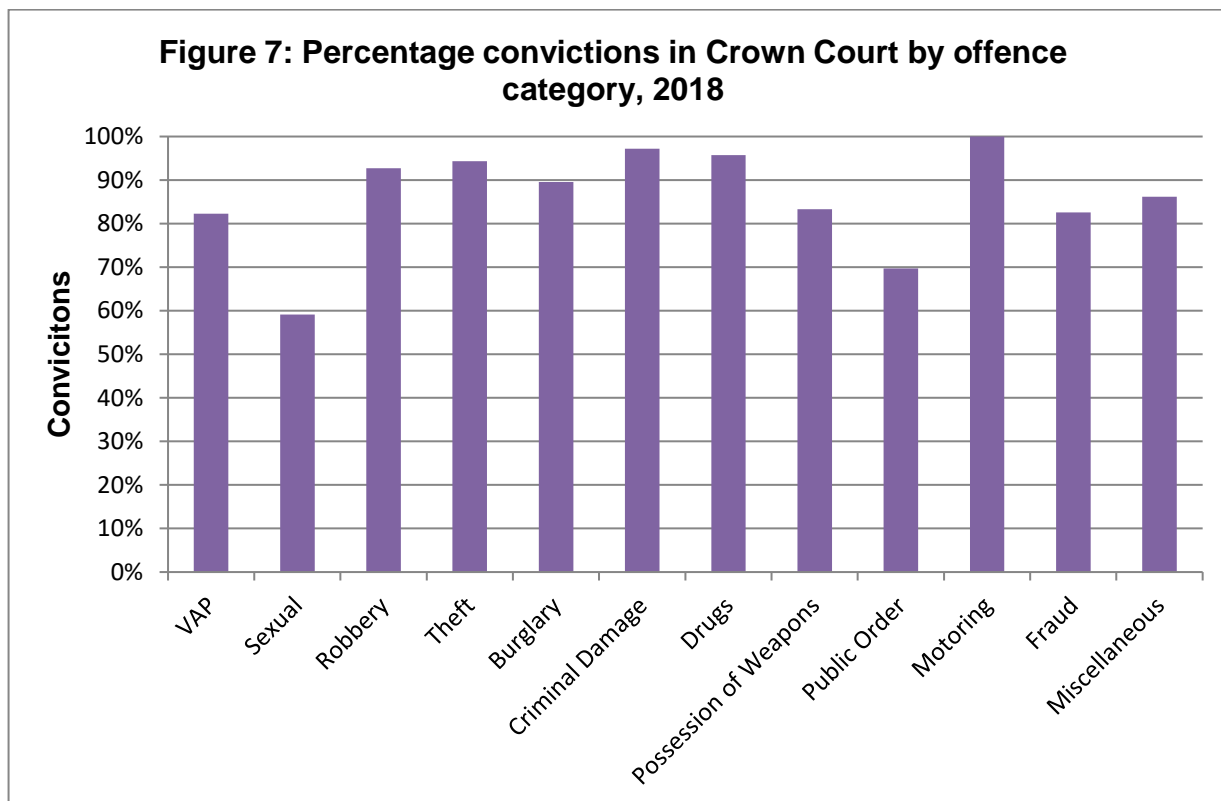
Overall, across all courts, the largest proportion of cases disposed fell into the motoring offences category in 2018, comprising 44.4% (13,011) of all cases disposed at court in that year. Violence against the person (VAP) offences accounted for 14.7% (4,312) of cases disposed at all courts in 2018, while cases where the principal offence fell into the public order category made up 8.5% (2,496) of all cases disposed at court in 2018 (Figure 6).



In all courts in 2018, prosecutions brought for drugs offences were most likely to end in conviction, with 94.0% (2,257) of cases in this category resulting in a conviction. Similarly, in cases where the principal offence was in the motoring offences category, 93.2% (12,125) resulted in a conviction. Cases where the principal offence was in the sexual offences category were least likely to result in a conviction in all courts in 2018, with 60.9% (184) of such cases resulting in a conviction.

In the Crown Court, the largest proportion of cases disposed fell into the VAP offences category, comprising 24.3% (338) of all cases disposed in 2018. Cases where the principal offence at disposal fell into the drugs category made up a further 15.2% (211) of all cases disposed at Crown Court in that year. Cases where the principal offence fell into the

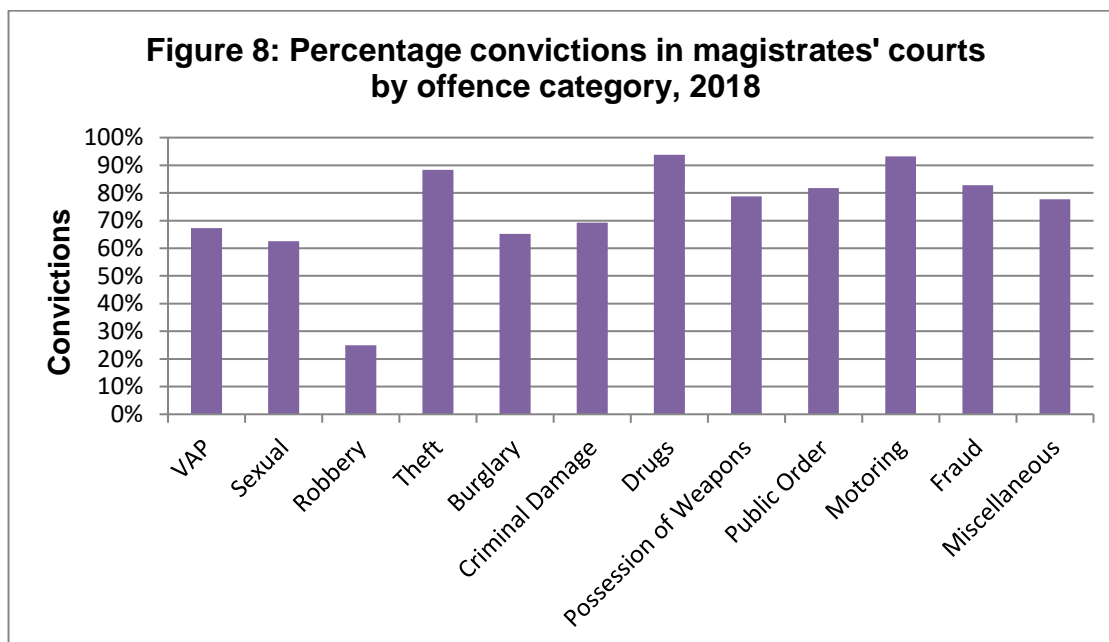
possession of weapons category made up the smallest proportion of cases disposed in Crown Court in 2018, with only 1.7% (24) of cases disposed at Crown Court in that year falling into that category. Similarly, relatively few cases in the criminal damage, motoring, fraud, robbery and theft offences categories were disposed at Crown Court in 2018, with such cases making up 2.6% (36), 3.8% (53), 4.5% (63), 5.0% (69) and 5.1% (71) of the total cases disposed respectively.



In the Crown Court in 2018, prosecutions brought for motoring offences and for criminal damage offences were, proportionately, most likely to end in conviction, with 100.0% (53) and 97.2% (35) respectively, of prosecutions brought for offences in these categories, resulting in a conviction. For cases which fell into the drugs category, 95.7% (202) resulted in a conviction and, for cases which fell into the theft category, 94.4% (67) of cases disposed at Crown court in 2018 resulted in a conviction. Cases which fell into the sexual offences category however, were least likely to result in a conviction in 2018, when 59.2% (84) of such cases disposed at Crown Court resulted in a conviction (Figure 7).

Overall, in magistrates' courts, the largest proportion of prosecutions fell into the motoring offences category in 2018, comprising 46.4% (12,958) of all cases disposed at magistrates' courts in that year.

In magistrates' courts in 2018, prosecutions brought for drugs offences were, proportionately, most likely to end in conviction, with 93.8% (2,055) of prosecutions brought for offences in this category resulting in a conviction. Similarly, 93.2% (12,072) of prosecutions for offences in the motoring offences category resulted in a conviction in magistrates' courts in that year. Prosecutions for offences in the robbery offences category however, resulted in a conviction in 25.0% (4) of such cases, disposed in magistrates' courts in 2018 (Table 4 in the accompanying [spreadsheet](#)) (Figure 8).

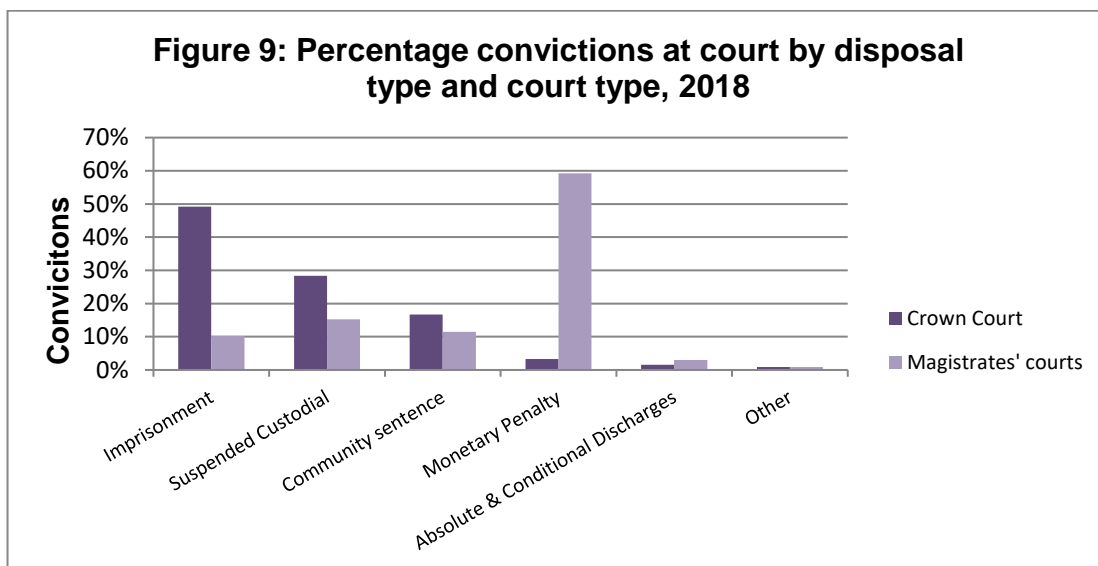


2.5 Prosecutions and Convictions at courts – Main Disposal Types

Monetary penalties were the most frequently utilised disposal at all courts in 2018, with 56.6% (14,097) of all convictions having this type of disposal as their primary outcome. A custodial outcome was imposed in 12.0% (3,001) of cases at all courts in 2018, with a

suspended custodial outcome imposed in a further 15.9% (3,958) of cases. A community sentence¹ was the primary disposal in 11.7% (2,914) of convictions in all courts in 2018.

The type of penalty imposed as a result of conviction varied according to court type in 2018. In Crown Court, 49.2% (578) of disposals had a custodial element, whereas in magistrates' courts 10.2% (2,423) of outcomes had a custodial element. Similarly, in Crown Court, 28.4% (333) of disposals had a suspended custodial element, whereas, in magistrates' courts, 15.3% (3,625) of outcomes had a suspended custodial element. Conversely, in Crown Court, 3.3% (39) of disposals resulted in a monetary penalty as the primary outcome, whereas in magistrates' courts 59.2% (14,058) of disposals resulted in a monetary penalty as the main disposal (Table 5 in the accompanying [spreadsheet](#)) (Figure 9).



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 sentences; and, a further sentence, ‘determinate’ custodial sentence.

The number of convictions where a public protection sentence was handed down in 2018 was 21, 1.1% of all custodial sentences. The number of sentences which combined custody and community supervision elements excluding those released on licence conditions was 496, 16.5% of all custodial sentences handed down at all courts in 2018. Other custodial

¹ Community Sentences includes the following disposals: Attendance Centre, Combination /Enhanced Combination Order, Probation/Supervision Order, Community Service Order, Youth Conference Order and Community Responsibility Order.

sentences accounted for 82.4% (2,473) of those cases where a custodial sentence was handed down, at all courts, in 2018 (Table 6a, 6b and 6c in the accompanying [spreadsheet](#)).

In all courts, the offence category most likely to result in a custodial outcome was robbery, with 88.2% (60) of disposals for offences in this category resulting in this type of outcome in 2018. Conversely, a custodial outcome was least likely for offences in the motoring category, with only 2.4% (297) of convictions in all courts for offences in this category resulting in imprisonment. Motoring offences were most likely to be dealt with by way of monetary penalty, with 86.6% (10,497) of convictions at all courts for offences in this category receiving this outcome as their main disposal.

Fraud offences were most likely to attract a suspended custodial sentence at all courts, with 43.6% (113) of convictions for offences in this category receiving such an outcome. A custodial sentence was the most likely outcome for convictions in the sexual offence category, with 44.6% (82) of convictions in this category resulting in such an outcome as their main disposal (Tables 9a and 9b in the accompanying [spreadsheet](#)).

In Crown Court, the offence category most likely to result in a custodial outcome was robbery, with 93.8% (60) of disposals for offences in this category resulting in a custodial outcome in 2018. Similarly, custodial sentences were handed down for 72.3% (68) of convictions where the principal offence was in the burglary category and for 60.7% (51) of convictions where the principal offence was in the sexual offences category. Defendants convicted of fraud offences at Crown Court were more likely to be dealt with by way of suspended sentence, with 67.3% (35) of convictions for offences in this category receiving this outcome as their main disposal (Tables 7a and 7b in the accompanying [spreadsheet](#)).

In magistrates' courts, the offence category most likely to result in a custodial outcome was burglary, with 45.3% (111) of disposals for offences in this category resulting in a custodial outcome in 2018. Convictions for fraud offences were most likely to result in a suspended custodial sentence at magistrates' courts, with 37.7% (78) of convictions where the principal offence was in that category being dealt with in that way. Motoring offences were most likely to be dealt with by way of monetary penalty as the main type of disposal, with 86.9%

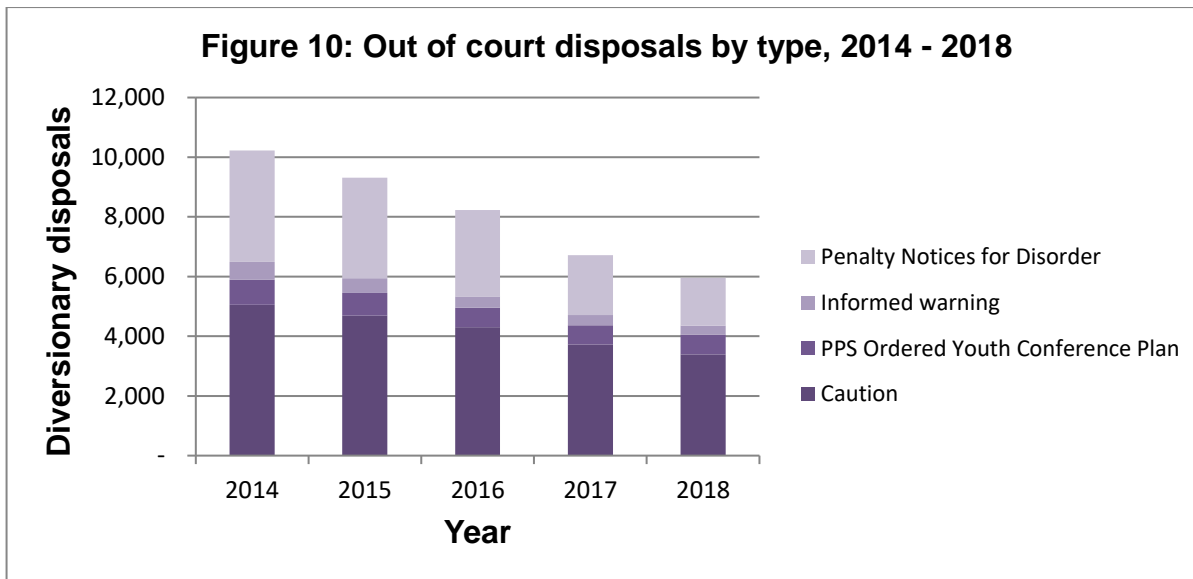
(10,490) of convictions at magistrates' courts for offences in this category, receiving this outcome (Tables 8a and 8b in the accompanying [spreadsheet](#)).

2.6 Out of Court Disposals - Overview

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 and completion of 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 as a result of 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.

The number of out of court disposals was 5,961 in 2018, a fall of 11.3% (756) from the 6,717 issued in 2017 and the lowest number issued in the last five years. However, while the number of PNDs issued fell by just 20.0% (400), the number of PPS ordered Youth Conferencing Plans rose by 4.5% (29). The number of informed warnings issued fell by 14.0% (49) and the number of cautions issued fell by 9.0% (336) on 2017 totals. There were no relevant community based restorative justice scheme out of court disposals recorded in 2018 (Table 10 in the accompanying [spreadsheet](#)) (Figure 10).



2.7 Penalty Notice for Disorder Disposals

In 2018, 1,602 PNDs were issued, a decrease of 20.0% from the total (2,002) issued in 2017. Of these, 79.6% (1,275) were issued to males. Of all those who received a PND, 18 – 24 year olds made up 42.1% (674). PNDs were issued mainly for public order offences (42.2%, 676) and for offences in the miscellaneous crimes category (35.4%, 567), although a substantial proportion (20.7%, 331), were also issued for theft offences in 2018 (Tables 11a, 11b and 11c in accompanying [spreadsheet](#)).

2.8 Other Out of Court (Diversionary) Disposals

In 2018, the number of diversionary disposals issued which were recorded against individuals' criminal records was 4,359, a fall of 7.6% from the figure of 4,715 such disposals issued in 2017. This fall from the totals recorded in the previous, and other recent years may, in part, have been influenced by the continued use of PNDs.

Cautions were the most common form of diversionary disposal, making up 77.8% (3,392) of all diversionary disposals in 2018. Youth Conference Plans made up 15.3% (667) of disposals issued and informed warnings made up the remaining 6.9% (300) of diversionary disposals in 2018.

Most diversionary disposals were issued to males in 2018, when 75.8% (3,306) of all diversionary disposals were issued to males. This is a slightly larger proportion than in 2017, when 74.8% (3,525) of all diversionary disposals were issued to males.

Of all diversionary disposals issued in 2018, most were handed out to offenders under the age of 25, with 52.2% (2,277) of all diversionary disposals being received by persons in that age group. This is a slight increase to the rate for 2017, when 50.9% of all diversionary disposals were issued to those under 25.

Of all offence categories, drugs and VAP offences were the categories for which diversionary disposals were most frequently issued in 2018, with 22.8% (996) of all diversionary disposals issued for offences in the drugs category and 22.4% (975) of all diversionary disposals issued for offences in the VAP category. Motoring offences were the cause of 13.8% (602) of all diversionary disposals in 2018, whereas criminal damage offences accounted for 10.0% (437). Offences in the theft category accounted for 9.9% (433) and public order offences accounted for 8.1% (355) of all diversionary disposals respectively (Tables 12a, 12b and 13 in accompanying [spreadsheet](#)).

APPENDIX 1 - METHODOLOGY AND COUNTING RULES

1.1 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 2018. The bulletin counts criminal proceedings brought to court by the Public Prosecution Service on behalf of the 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.

For the purposes of this bulletin, out of court disposals are broken into two categories, distinguishing those which result in a criminal record (diversionary disposals) from those which do not (Penalty Notices for Disorder). 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).

Penalty Notices for Disorder (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 <http://www.nidirect.gov.uk/police-issued-penalty-notice>.

1.2 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. The basis for selection of the principal offence is laid down in rules issued by the Home Office and the Department of Justice has developed a methodology applicable to Northern Ireland based on these. In summary, where there is a disposal, the offence which receives the most severe penalty is counted. Other factors which may be considered in selection of the principal offence are the potential sentence that may be imposed in relation to an offence and the perceived seriousness of an offence. Principal offence methodology may be viewed on the DoJ website at the following web page:

[Principal offence methodology web link](#)

For cases brought before a court, the offence counted and used in the compilation of figures in this bulletin 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 Public Prosecution Service (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.

1.3 Data source

The data used in this bulletin were taken from the Causeway Data Sharing Mechanism (DSM1). They were extracted primarily based on records contained on the Criminal Records Viewer (CRV). The CRV is held on Causeway and utilises data which 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 (CJOs) in Northern Ireland.

1.4 Quality assurance and validation

While the source data used for this publication are taken from the main management information systems of the relevant CJOs and they will therefore have a vested interest in their accuracy, the purpose of the quality assurance/validation procedures conducted is to ensure the data extracted are accurate and complete, for the statistical purposes for which they are to be used. Both automated and manual checks are carried out, at individual offence level, and data corrected to ensure that:

- all key fields are complete and logical;
- a general check of the data as a whole suggests no other anomalies.

Any discrepancies identified are checked against the Integrated Court Operations System (ICOS) and the Criminal Records Viewer. Issues are resolved on an individual offence related basis.

Examples of some of the changes made to the dataset as part of the validation process for 2018 included: the removal of 102 cases incorrectly listed as withdrawn at magistrates' courts, as they were dealt with at Crown Court, 113 cases where a fine had been imposed but no amount had been listed and 28 duplicate entries in relation to diversionary disposals handed down for the same offence.

Nevertheless, users should be aware that the statistics contained in this publication originate from various administrative data sources, which have different purposes, aims and objectives and are kept for non-statistical purposes, e.g., Criminal Record Viewer (CRV) is maintained for reviewing and vetting individuals' criminal records.

1.5 Statistical coverage

The data included in the bulletin are based on cases prosecuted at courts, as well as out of court disposals and PNDs which were recorded as completed in Northern Ireland for the year 1 January 2018 – 31 December 2018. Statistical coverage is restricted to those

criminal prosecutions which were brought by PPS on behalf of the PSNI, the NCA, the Airport Constabulary or Harbour Police. Cases relating to prosecutions brought by government departments, public bodies and private individuals are not included, as their prosecution is beyond the remit of the Department of Justice.

The court structure of Northern Ireland does not equate to the court structures of England and Wales, Scotland or the Republic of Ireland, and therefore no comparisons have been made between Northern Ireland and the rest of the UK and Ireland.

1.6 Analysis and Presentation of Statistics

The data used in this report are validated, maintained and analysed using IBM SPSS, which is a statistical package commonly used within social science.

For ease of use, figures in tables and charts are given as whole numbers, whereas percentages throughout the text and tables are reported to one decimal place. Whilst tables of information have been included in Appendix 1, the tables are also published alongside this bulletin in Microsoft Excel and OpenDocument Spreadsheet format, for ease of use.

The bulletin is published annually and it is anticipated that figures for 2019 will be published in early summer 2020.

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