

PUBLIC PROSECUTION SERVICE FOR NORTHERN IRELAND

Statistical Bulletin: Cases Involving Sexual Offences 2021/22

1 April 2021 to 31 March 2022

This document can be made available in a range of alternative formats

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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 cautions, informed warnings and youth conferencing. Prosecutors may also refer offenders to the National Driver Alertness Scheme or to a Community Restorative Justice Scheme.

For further information on the role and structure of PPS please visit 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 Assistant Director deals with a range of the most serious offences including murder, manslaughter, rape and other serious sexual offences, modern slavery, human trafficking and related offences. Prior to January 2016, cases of this type would typically have been dealt with by the PPS regional teams. In terms of sexual crimes, the regions continue to deal with cases involving offences such as sexual assault, indecent exposure and voyeurism.

The majority of files submitted by the police to the PPS involving sexual offences are dealt with by the SCU (66% of all such files received in 2021/22).

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 2021/22 financial year (i.e., 1 April 2021 to 31 March 2022) and includes comparisons with 2020/21. Where appropriate, detailed notes have been provided which give an explanation of the relevant PPS processes and procedures. Please see Glossary, User Information and tables for further information.

The sexual offences data in this bulletin are provided across three broad offence categories, as follows:

- Rape.
- Other Sexual Offences.
- All Sexual Offences.

Offence Classifications

Findings are presented across each of the accompanying tables for 'Rape', 'Other Sexual Offences' and 'All Sexual Offences' (where Official Statistics disclosure rules permit). 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 <https://www.ppsni.gov.uk/publications/statistical-bulletin-cases-involving-sexual-offences-2021/22>.

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

COVID-19 Pandemic

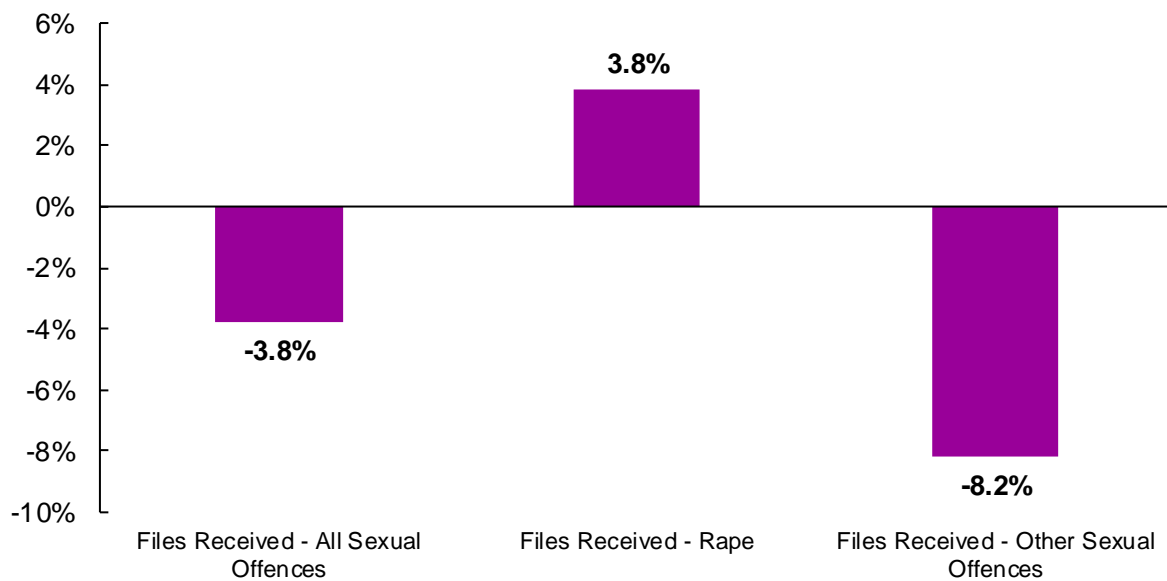
Please note that the figures contained within this report reflect a period in which the impact of the COVID-19 pandemic was felt across the criminal justice system in Northern Ireland including reduced levels of crime in 2020/21 and reduced volume of business carried out in the criminal courts.

Summary of Key Points

- The PPS received a total of 1,509 files involving a sexual offence. This was a decrease of 3.8% on 2020/21 (1,568). There was an increase of 3.8% in the number of files received involving an offence of rape, from 578 to 600.
- Files received included a total of 1,573 suspects, 622 of whom were charged or reported for rape (an increase of 2.3% on 2020/21) and 951 were in respect of other sexual offences (a decrease of 9.9%).
- 1,540 prosecutorial decisions were issued by the PPS in respect of suspects in cases involving sexual offences. The Test for Prosecution was met in respect of 35.5% of decisions, which included 546 decisions for prosecution or diversion from the courts. At 35.5%, the percentage of decisions meeting the Test represents an increase from 2020/21 (27.8%).
- Of the 994 no prosecution decisions issued during 2021/22, the vast majority (98.3%) did not pass the evidential test. The remaining 1.7% did not pass the public interest test.
- Median days for the issue of indictable prosecution decisions (prosecution in the Crown Court) in cases involving sexual offences was 274 calendar days (293 days in 2021/22). Median days for summary prosecution decisions (prosecution in the Magistrates' or Youth Courts) was 28 days (16 in 2020/21).
- A total of 256 defendants were dealt with in the Crown Court in cases involving sexual offences. The overall conviction rate was 72.7% compared with 71.3% in 2020/21.
- Seventy-two defendants were dealt with in the Crown Court for an offence of rape and forty-seven (65.3%) of these were convicted of at least one offence (i.e., any offence). Twenty-one defendants (29.2%) were convicted of an offence of rape.
- A total of 190 defendants were dealt with in the Magistrates' and Youth Courts for a sexual offence during 2021/22. The overall conviction rate was 73.2% compared with 68.0% in 2020/21.

Files Received

Figure 1: Number of Files Received by Offence Category - Percentage Change between 2020/21 and 2021/22

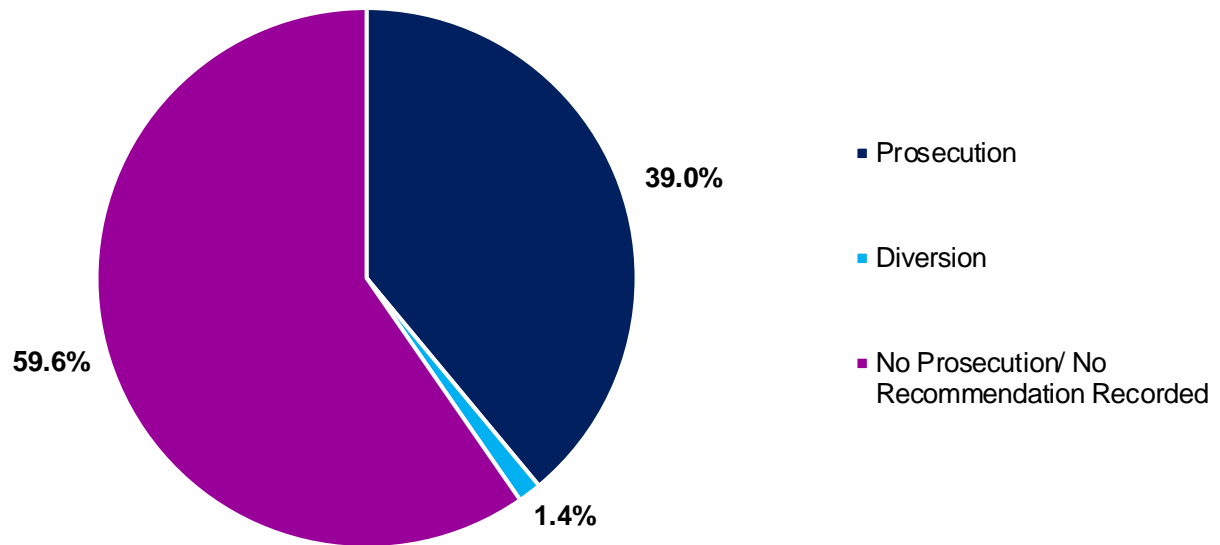


Source: Public Prosecution Service for Northern Ireland Statistical Bulletin Cases Involving Sexual Offences 2021/22, Table 1: Files Received

The PPS received 1,509 files involving a sexual offence during the financial year. This was a decrease of 3.8% on 2020/21 (1,568). Over this period there was an increase of 3.8% in the number of files received involving an offence of rape, from 578 to 600. There was also a decrease (8.2%) in the number of files involving other sexual offences, which fell from 990 to 909.

Suspects on Files Received by Police Recommendation

Figure 2: Suspects on Files Received by Police Recommendation Type (%) for All Sexual Offences 2021/22

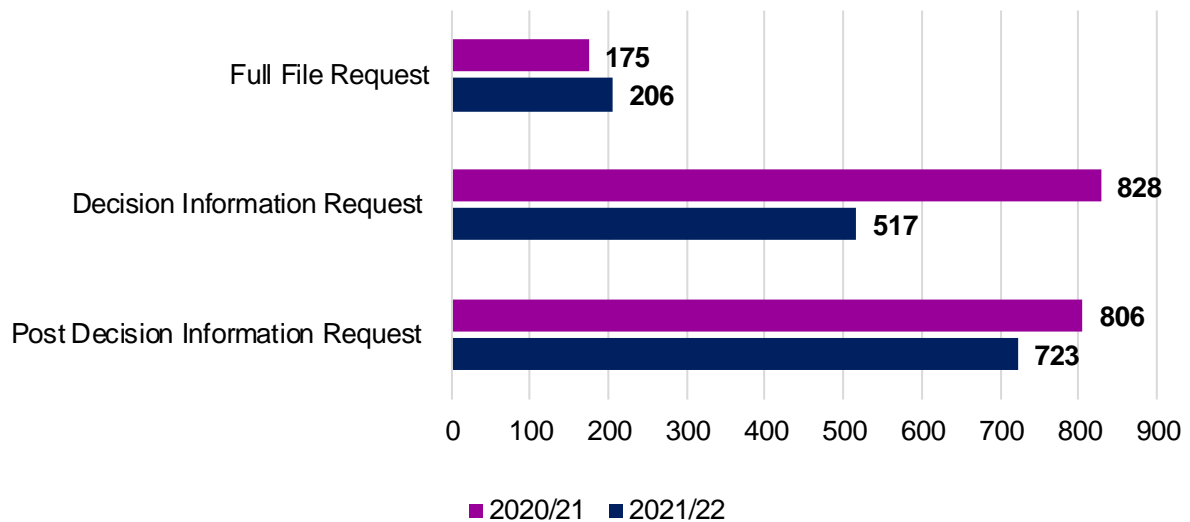


Source: Public Prosecution Service for Northern Ireland Statistical Bulletin Cases Involving Sexual Offences 2021/22, Table 2: Suspects on Files Received by Police Recommendation

During 2021/22, the files received included a total of 1,573 suspects, representing a 5.5% decrease on 2020/21 (1,664). Of the 1,573 suspects, 622 were charged or reported in respect of rape (an increase of 2.3% on 2021/22) and 951 in respect of other sexual offences (a decrease of 9.9%). Police recommended prosecution or diversion for 40.4% of all suspects. This compared with 38.7% in 2020/21.

Information Requests Submitted to Police

Figure 3: Information Requests Submitted to Police by Request Type for All Sexual Offences 2021/22¹



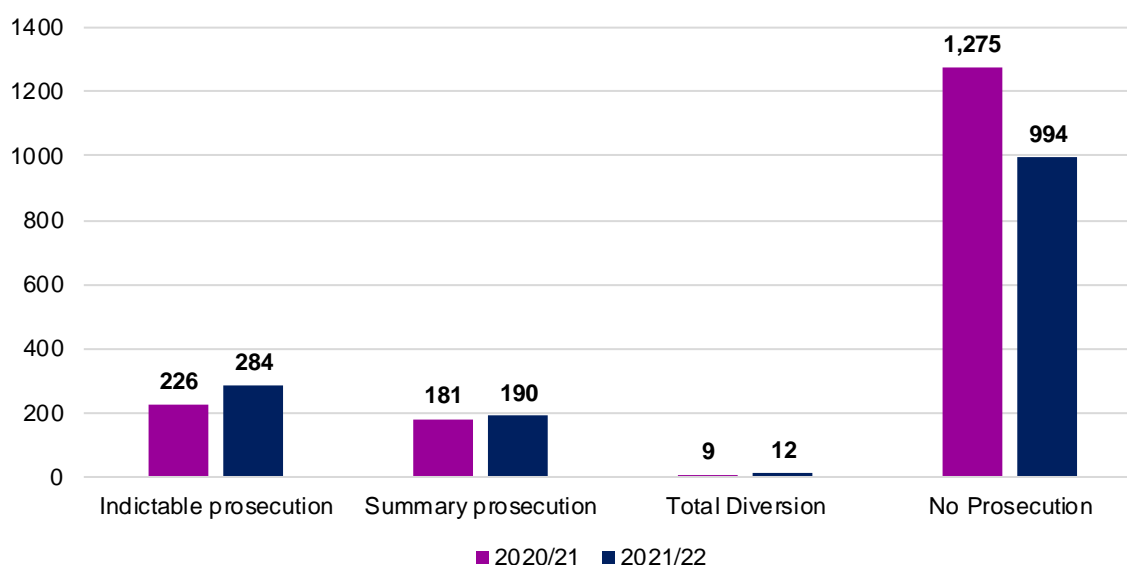
¹No decision results are not shown to prevent disclosure of small figures

Source: Public Prosecution Service for Northern Ireland Statistical Bulletin Cases Involving Sexual Offences 2021/22, Table 3: Information Requests Submitted to Police by Request Type

A total of 1,447 information requests were submitted to police during 2021/22 in relation to cases involving a sexual offence, a decrease of 20.1% on 2020/21 (1,810). During the current period 35.7% of all requests submitted were 'Decision Information Requests', 50.0% were 'Post Decision Information Requests' and 14.2% were 'Full File Requests'.

Prosecutorial Decisions Issued

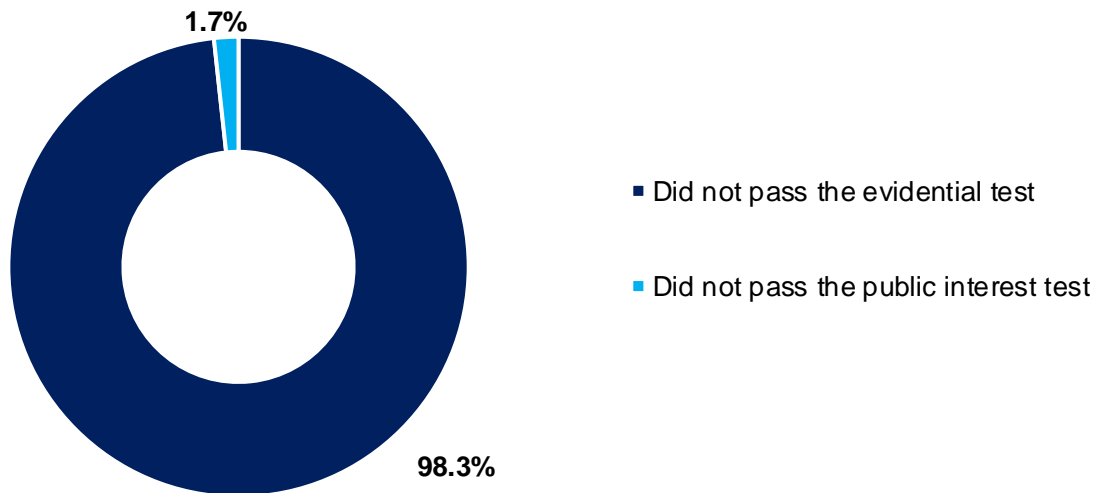
Figure 4: Prosecutorial Decisions Issued by Decision Type for All Sexual Offences



Source: Public Prosecution Service for Northern Ireland Statistical Bulletin Cases Involving Sexual Offences 2021/22, Table 4a: Prosecutorial Decisions Issued by Decision Type - All Sexual Offences

During 2021/22, 1,540 prosecutorial decisions were issued in respect of cases involving a sexual offence, representing a decrease of 12.8% on 2020/21 (1,766 decisions). Of the decisions issued during the year, the Test for Prosecution was met for at least one offence (i.e., any offence) in 35.5% of decisions. This included 546 decisions for prosecution or diversion from the courts. At 35.5%, the percentage of decisions meeting the Test represents an increase from 2020/21 (27.8%). The Test for Prosecution was met in relation to a sexual offence for 31.6% of decisions. This included 486 decisions for prosecution or diversion from the courts. At 31.6%, the percentage of decisions meeting the Test represents an increase from 2020/21 (23.6%).

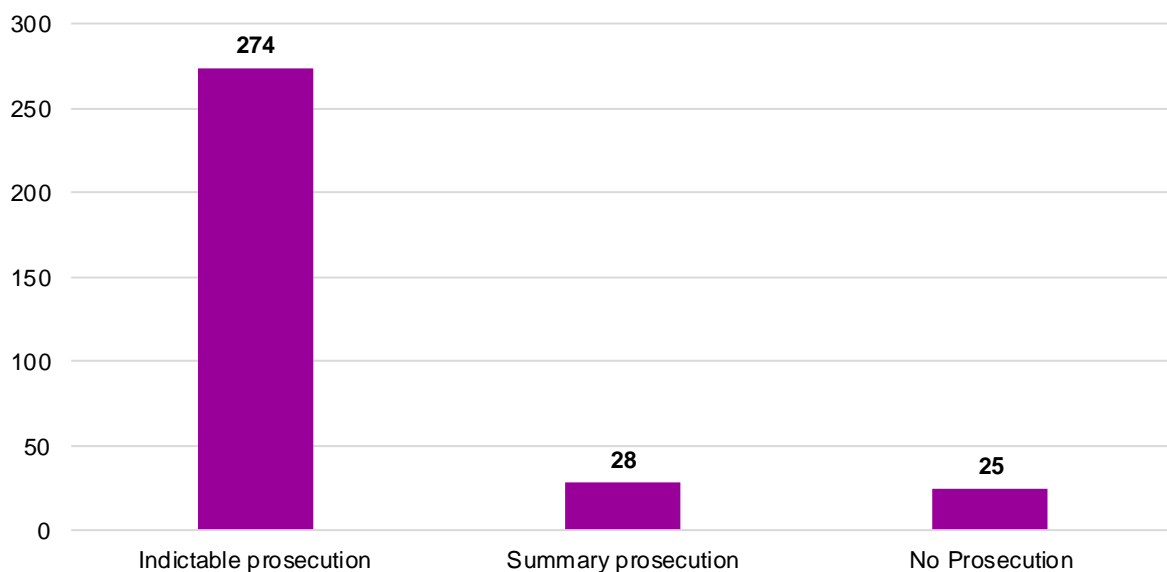
Figure 5: Prosecutorial Decisions Issued by Decision Type – Reasons for No Prosecution for All Sexual Offences



Source: Public Prosecution Service for Northern Ireland Statistical Bulletin Cases Involving Sexual Offences 2021/22, Table 4d: Prosecutorial Decisions Issued - Reasons for No Prosecution

Of the 994 no prosecution decisions issued during 2021/22, the vast majority (98.3%) did not pass the evidential test. The remaining 1.7% did not pass the public interest test.

Figure 6: Median Number of Days Required for the Issue of Prosecutorial Decisions by Decision Type

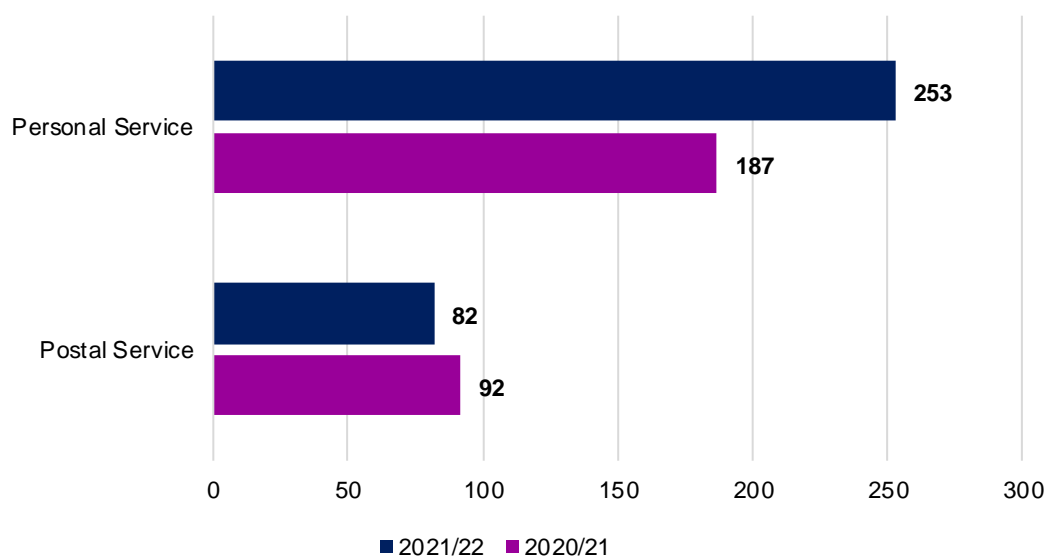


Source: Public Prosecution Service for Northern Ireland Statistical Bulletin Cases Involving Sexual Offences 2021/22, Table 4e: Days Required for the Issue of Prosecutorial Decisions by Decision Type (Median and 80th Percentile)

During 2021/22, the median calendar days required for the issue of indictable prosecution decisions in respect of all sexual offences was 274. This compared with 293 days during 2020/21. Over the same period, 80% of indictable decisions in respect of all sexual offences were issued within 646 days (567 days in 2020/21). During 2021/22, summary prosecution decisions in respect of all sexual offences required a median of 28 days, 12 days more than in 2020/21 (16). Over the same period, 80% of summary decisions in respect of sexual offences were issued within 72 days (87 days in 2020/21).

Summonses

Figure 7: Summonses Issued by Service Method

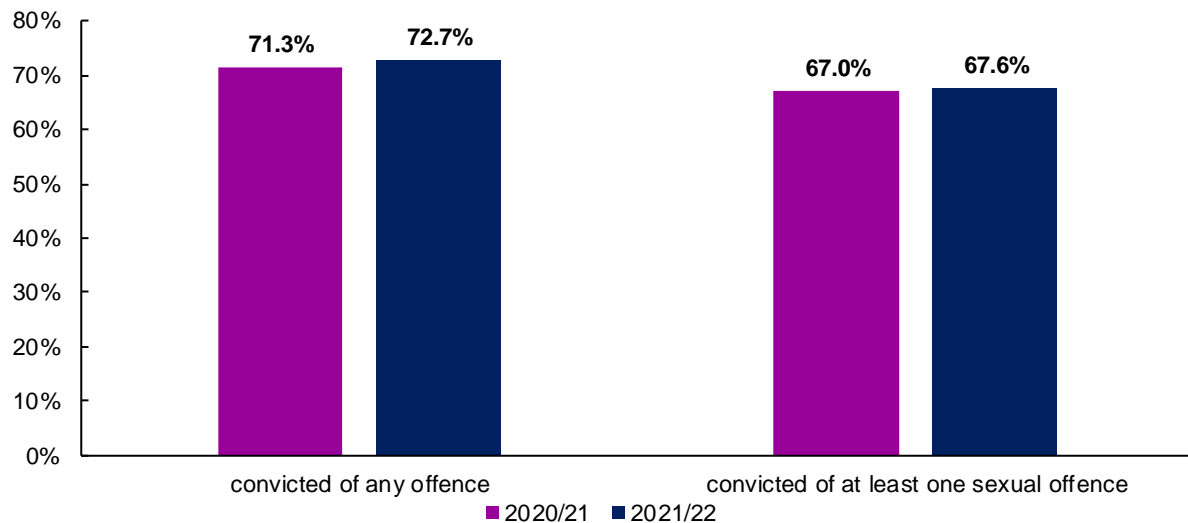


Source: Public Prosecution Service for Northern Ireland Statistical Bulletin Cases Involving Sexual Offences 2021/22, Table 5: Summonses Issued by Service Method

A total of 335 summonses were issued in cases involving a sexual offence during 2021/22, an increase of 20.1% on 2020/21 (279).

Defendants and Convictions

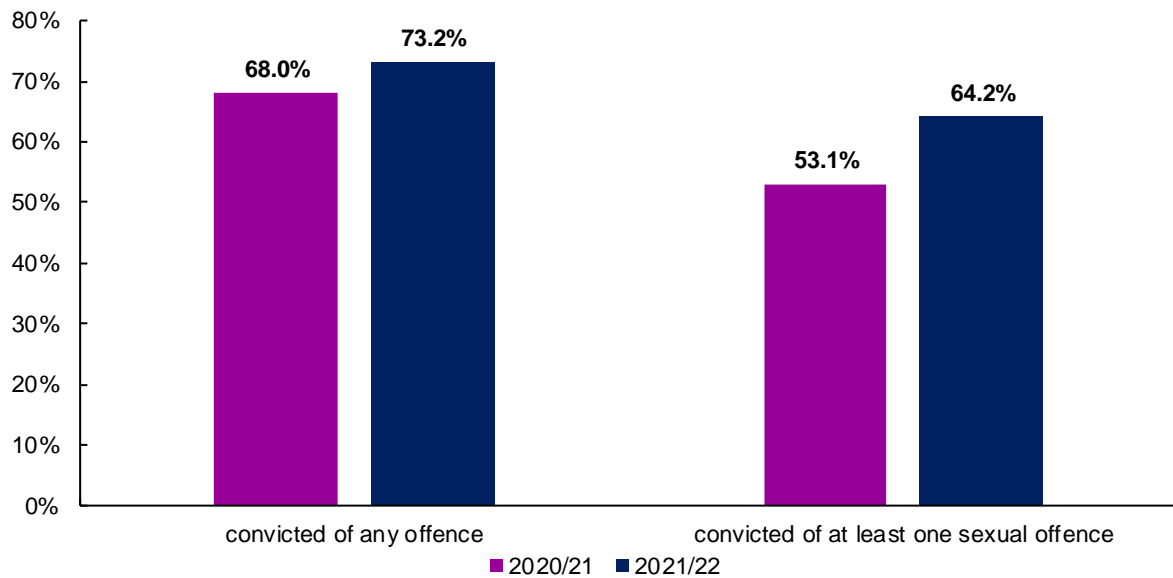
Figure 8: Conviction Rates – Crown Court (All Sexual Offences) 2020/21 and 2021/22



Source: Public Prosecution Service for Northern Ireland Statistical Bulletin Cases Involving Sexual Offences 2021/22, Table 6a: Defendants Dealt with in the Crown Court by Outcome – All Sexual Offences

During 2021/22, 256 defendants were dealt with in the Crown Court in relation to a sexual offence, an increase of 172.3% on 2020/21. Of the 256 defendants, 72.7% were convicted of at least one offence (i.e., of any offence). Just over two-thirds (67.6%) were convicted of a sexual offence. The overall conviction rate in 2021/22, at 72.7%, compared with 71.3% in 2020/21. During 2021/22, 72 defendants were dealt with in the Crown Court for an offence of rape. Of these defendants, 47 (65.3%) were convicted of at least one offence (i.e., of any offence). Twenty-one defendants (29.2%) were convicted of an offence of rape.

Figure 9: Conviction Rates – Magistrates’ and Youth Courts (All Sexual Offences) 2020/21 and 2021/22

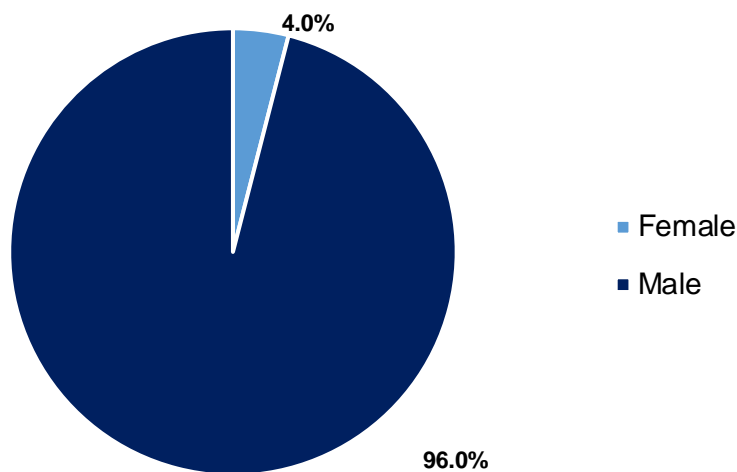


Source: Public Prosecution Service for Northern Ireland Statistical Bulletin Cases Involving Sexual Offences 2021/22, Table 7: Defendants Dealt with in the Magistrates’ and Youth Courts by Outcome – All Sexual Offences

A total of 190 defendants were dealt with in the Magistrates’ and Youth Courts for a sexual offence during 2021/22, an increase of 29.3% on the previous financial year (147). Of the 190 defendants dealt with during 2021/22, 73.2% were convicted of at least one offence (i.e., of any offence). More than three-fifths of defendants (64.2%) were convicted of a sexual offence. At 73.2%, the overall conviction rate represents a 5.2 percentage point increase on 2020/21.

Age and Gender Analysis

Figure 10: Gender of Suspects on Files Received by PPS in 2021/22¹

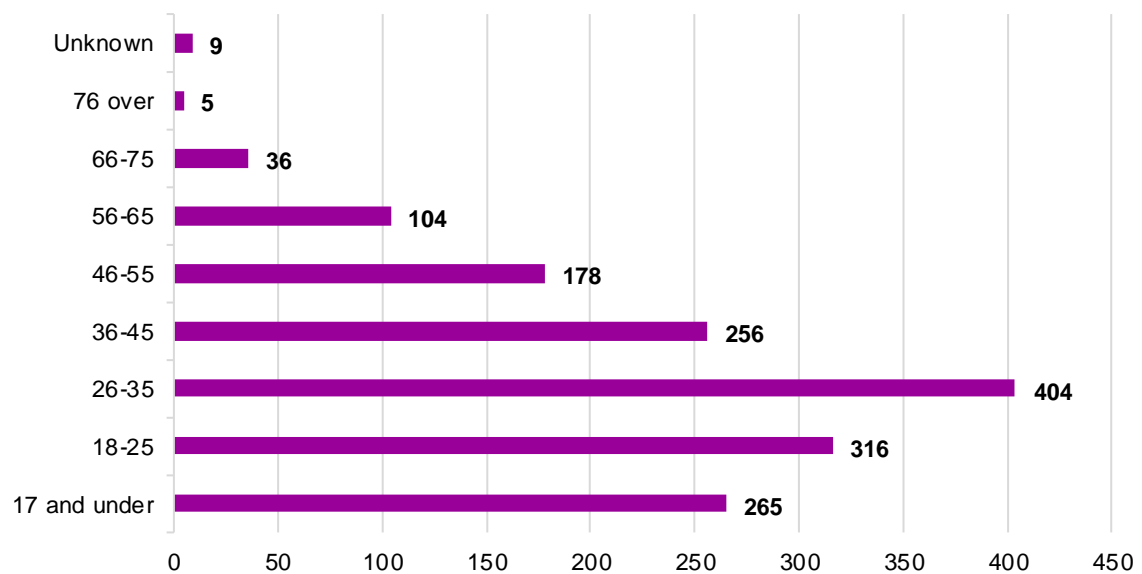


¹No 'Unknown' results are shown to prevent disclosure of small figures

Source: Public Prosecution Service for Northern Ireland Statistical Bulletin Cases Involving Sexual Offences 2021/22, Table 1a: Suspects on Files Received including a sexual offence by Gender and Age

During 2021/22 of 1,573 suspects on files received involving a sexual offence, 96.0% were recorded as male.

Figure 11: Age of Suspects on Files Received by PPS in 2021-22¹



Source: Public Prosecution Service for Northern Ireland Statistical Bulletin Cases Involving Sexual Offences 2021/22, Table 1a: Suspects on Files Received including a sexual offence by Gender and Age

The largest proportion (25.7%) of suspects on files received involving a sexual offence were in the 26-35 age category. More than three-fifths (62.0%) of suspects were between the ages of 18 and 45.

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 are 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%. Where a base number is less than 50, percentages are not provided.

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 overleaf.

Future Publications

The next Statistical Bulletin in this series, covering the financial year 2022/23, will be published in Autumn 2023.

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Changes to this Release

In December 2022, this publication was revised with the data tables removed from the statistical report to improve user functionality. Tables can be found in the accompanying Excel document. Clarity and insight have been increased by introducing additional charts and graphs, compliant with accessibility guidelines.

This edition of the publication provides additional breakdowns of suspect age and gender within the data tables and the release. This information was included based on user feedback.

Further Information

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

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Glossary

All Sexual Offences: 'All Sexual Offences' includes a combination of rape and other sexual offences.

Caution: 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.

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

Crown Court outcomes: The category '*acquitted*' includes the following outcomes: acquittals, acquittals by direction, No Bills, no evidence offered – defendant acquitted, left on books, proceedings stayed, unfit to plead – but found that he/she did not do the act, no case to answer - granted. '*Other*' Includes defendant deceased, withdrawal – all charges, bound over for not having shown cause, bound over where charge withdrawn, withdrawn due to diversionary route. It should be noted that if an individual is involved in more than one case which is resulted during this period, they will be counted as a separate defendant on each occasion.

Decision information request (DIR): 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.

Diversionary options: 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.

Diversionary youth conference: 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.

Eightieth percentile: *Eightieth percentile* is the number of days at which 80% of those persons included under counting rules have had a first decision issued. Eightieth percentile days for indictable prosecution decisions includes the time taken for the prosecutor's decision and for case preparation (i.e., where appropriate, ensuring that the case is ready for court) and include time taken for response from police to any decision information requests. 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.

File: A file may refer to one or more individuals

Full file requests: *Full file requests* are designed to allow the PPS to ask the PSNI for a full file as defined in the relevant protocols.

Indictable prosecution: *Indictable prosecution* applies in the more serious offences which may be heard in the Crown Court.

Informed warning: *An informed warning* is a formal reprimand administered by police and is recorded on a person's criminal record.

Magistrates' and Youth Court outcomes: Data reflect the number of persons where PPS has taken a decision to prosecute summarily, i.e., defendants against whom charges were withdrawn prior to decision are excluded. The category '*acquitted*' includes the following outcomes: dismissed; no case to answer granted; and proceedings stayed. '*Other*' includes: defendant deceased; withdrawal – all charges; bound over for not having shown cause; bound over where charge withdrawn; withdrawn due to diversionary route. Excludes persons returned for trial in the Crown Court. It should be noted that if an individual is involved in more than one case which is resulted during this period, they will be counted as a separate defendant on each occasion.

Median days: *Median days* is the number of days at which 50% of those persons included under counting rules have had a first decision issued. Median days for indictable prosecution decisions includes the time taken for the prosecutor's decision and for case preparation (i.e., where appropriate, ensuring that the case is ready for court) and include time taken for response from police to any decision information requests. 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.

No prosecution: *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).

Other sexual offences: For files and disposals '*Other Sexual Offences*' includes files and disposals involving a sexual offence, but which is not an offence of rape.

Primary offence: Generally, the most serious offence in terms of the potential penalties in law.

Prosecutorial decision: 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.

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.

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

Rape: The ‘*Rape*’ category includes files or disposals with an offence of rape (or attempted 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.

Summary offence: In general, *summary offences* relate to less serious criminal behaviour and are tried in the Magistrates’ Court before a District Judge

Summary prosecution: *Summary prosecution* applies to cases which may be heard in the Magistrates’ Courts.

Summons: 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. 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.

Test for Prosecution: 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.