



PUBLIC PROSECUTION SERVICE FOR NORTHERN IRELAND

Statistical Bulletin:

Cases Involving Sexual Offences 2019/20

1 April 2019 to 31 March 2020



**Public
Prosecution
Service**

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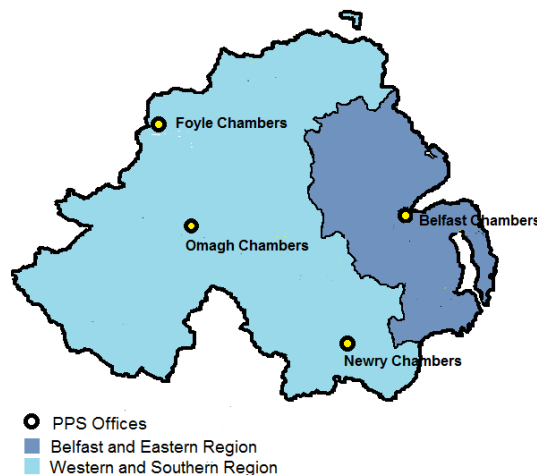
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Introduction

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.



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 <https://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 regions continue to deal with cases involving offences such as sexual assault, indecent exposure and voyeurism.

The large majority of files submitted by the police to the PPS involving sexual offences are now dealt with by the SCU (71.4% of all such files received in 2019/20).

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 2019/20 financial year (i.e. 1 April 2019 to 31 March 2020) and includes comparisons with 2018/19. Where appropriate, detailed notes have been provided which give an explanation of the relevant PPS processes and procedures.

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

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

Offence classifications

In April 2019 PPS undertook a consultation exercise on the classification of offences used within '*Statistical Bulletin: Cases Involving Sexual Offences*'. In order to achieve greater comparability with PSNI recorded crime statistics and statistics by the Department of Justice Northern Ireland and the Ministry of Justice, the consultation proposed two changes to offence categories within the bulletin.

1. To no longer include the sub-category of 'Miscellaneous Sexual Offences' within its *Statistical Bulletin: Cases Involving Sexual Offences*.
2. To *include* Attempted Rape offences within the 'Rape' category, rather than in the 'Other Sexual Offences' category.

Following the consultation, PPS decided to implement the proposed changes and these were reflected within the 2018/19 bulletin and are continued in this current release. As with previous bulletins on Sexual Offences, findings will continue to be presented across each of the various 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-201920>.

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 on page 23.

COVID 19 Pandemic

The reference period for *Statistical Bulletin: Cases Involving Sexual Offences 2019/20* included the first weeks of the COVID 19 pandemic with full lockdown having been implemented in Northern Ireland on 23rd March 2020. Users may wish to read notes within [PPS Statistical Bulletin: 2019/20](#) which outline the potential impact of the pandemic on PPS overall caseloads for the 2019/20 year. Due to the small numbers involved and the short time period that was affected in 2019/20, any impact on figures in this publication is considered to be minimal.

Further details about the bulletin are available in the 'User Information' section on page 28.

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

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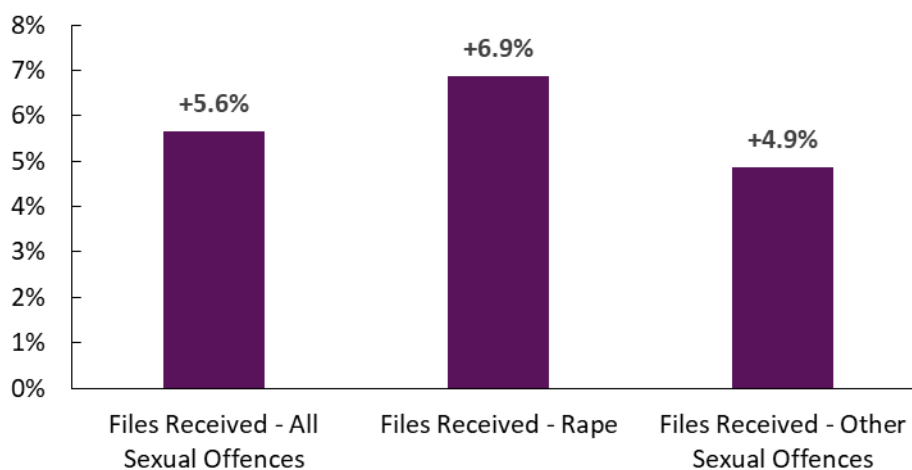
Summary of Key Points

Figures quoted are for the 2019/20 financial year, 1 April 2019 to 31 March 2020, unless otherwise stated. This summary should be read together with the explanatory notes provided (see pages 23 - 27).

Files Received (Table 1)

- The PPS received 1,684 files involving a sexual offence during the financial year. This was an increase of 5.6% on 2018/19 (1,594).
- Over this period there was a rise of 6.9% in the number of files received involving an offence of rape, from 610 to 652. There was also an increase (4.9%) in the number of files involving other sexual offences, which rose from 984 to 1,032.

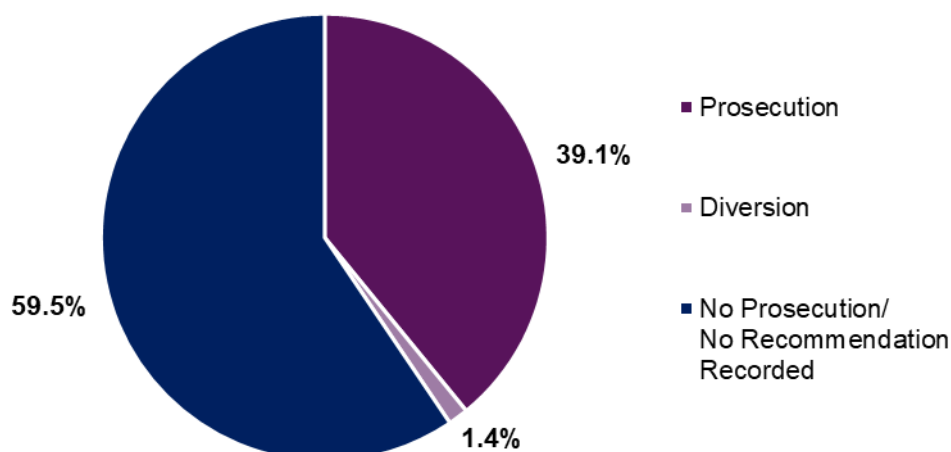
Chart 1: Number of Files Received by Offence Category - Percentage Change between 2018/19 and 2019/20



Suspects on Files Received by Police Recommendation (Table 2)

- During 2019/20, the files received included a total of 1,801 suspects, representing a 6.9% increase on 2018/19 (1,685).
- Of the 1,801 suspects, 706 were charged or reported in respect of rape (an increase of 10.8% on 2018/19) and 1,095 were in respect of other sexual offences (an increase of 4.5%).
- Police recommended prosecution or diversion for just over two-fifths (40.5%) of all suspects. This compared with 41.8% in 2018/19.

Chart 2: Suspects on Files Received by Police Recommendation Type (%) 2019/20



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

- A total of 2,107 information requests were submitted to police during 2019/20 in relation to cases involving a sexual offence, an increase of 31.5% on 2018/19 (1,602).
- During the current period 48.8% of all requests submitted were 'Decision Information Requests', 40.4% were 'Post Decision Information Requests' and 9.4% were 'Full File Requests'.

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

- During 2019/20, 1,755 prosecutorial decisions were issued in respect of suspects in cases involving a sexual offence, representing an increase of 2.0% on 2018/19 (1,721 decisions – see table 4a).
- Of the decisions issued during the year, the Test for Prosecution was met for at least one offence (i.e. any offence) in 28.7% of decisions. This included 503 decisions for prosecution or diversion from the courts. At 28.7%, the percentage of decisions meeting the Test represents a small increase on 2018/19 (27.4%).
- The Test for Prosecution was met in relation to a sexual offence for just under a quarter of decisions (24.7%). This included 434 decisions for prosecution or diversion from the courts. At 24.7%, the percentage of decisions meeting the Test represents a small increase on 2018/19 (23.9%).

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

- Of the 1,252 no prosecution decisions issued during 2019/20, the vast majority (99.4%) did not pass the evidential test. The remaining 0.6% did not pass the public interest test.

Number of Days Required for the Issue of Prosecutorial Decisions by Decision Type (Median and 80th Percentile)¹ (Table 4e)

- During 2019/20, the median calendar days required for the issue of indictable prosecution decisions in respect of all sexual offences was 255. This compared with 256 days during 2018/19. Over the same period, 80% of indictable decisions in respect of all sexual offences were issued within 666 days (447 days in 2018/19)
- During 2019/20, summary prosecution decisions in respect of all sexual offences required a median of 20 days, 25 days less than in 2018/19 (45). Over the same period, 80% of summary decisions in respect of sexual offences were issued within 83 days (148 days in 2018/19).

Summonses Issued by Service Method (Table 5)

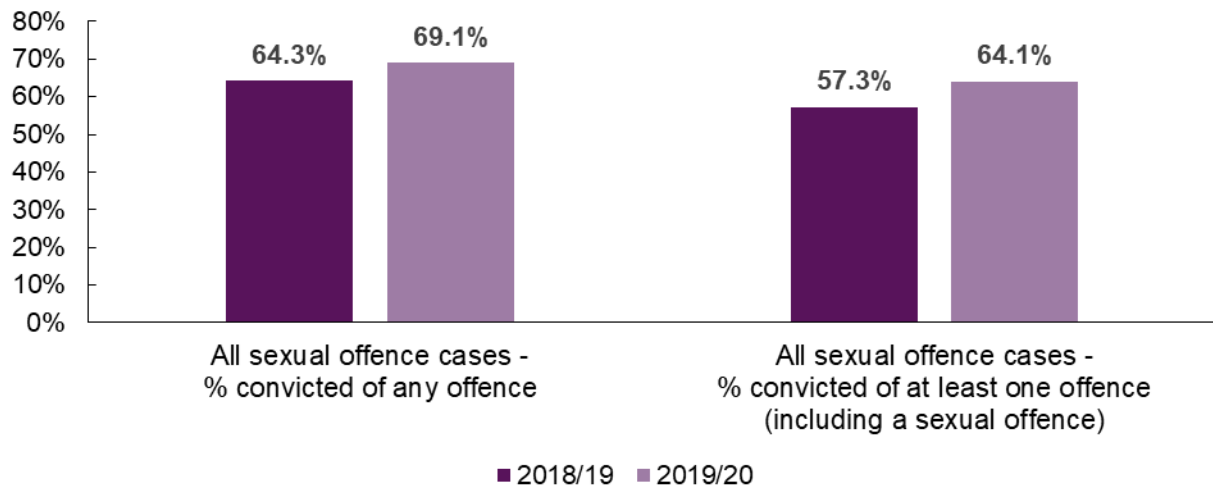
- A total of 293 summonses were issued in cases involving a sexual offence during 2019/20, a decrease of 4.6% on 2018/19 (307).

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

- During 2019/20, 217 defendants were dealt with in the Crown Court in relation to a sexual offence, an increase of 38.2% on 2018/19 (see Table 6a).
- Of the 217 defendants, 69.1% were convicted of at least one offence (i.e. of any offence). Just under two-thirds (64.1%) were convicted of a sexual offence.
- The overall conviction rate in 2019/20, at 69.1%, compared with 64.3% in 2018/19.
- During 2019/20, 67 defendants were dealt with in the Crown Court for an offence of rape (Table 6b). Of these defendants, 53.7% were convicted of at least one offence (i.e. of any offence). Twenty (29.9%) defendants were convicted of an offence of rape.

¹ Median and eightieth percentile figures are based on calendar days and include time taken for police to respond to PPS decision information requests. For indictable prosecution decisions, PPS case preparation time is also included (see explanatory notes, page 25).

Chart 3: Conviction Rates – Crown Court (All Sexual Offences) 2018/19 and 2019/20



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

- A total of 153 defendants were dealt with in the Magistrates’ and Youth Courts for a sexual offence during 2019/20, a decrease of 8.4% on the previous financial year (167).
- Of the 153 defendants dealt with during 2019/20, 72.5% were convicted of at least one offence (i.e. of any offence). More than two-thirds of defendants (68.6%) were convicted of a sexual offence.
- At 72.5%, the overall conviction rate represents a 1.3 percentage point increase on 2018/19.

Chart 4: Conviction Rates – Magistrates’ and Youth Courts (All Sexual Offences) 2018/19 and 2019/20

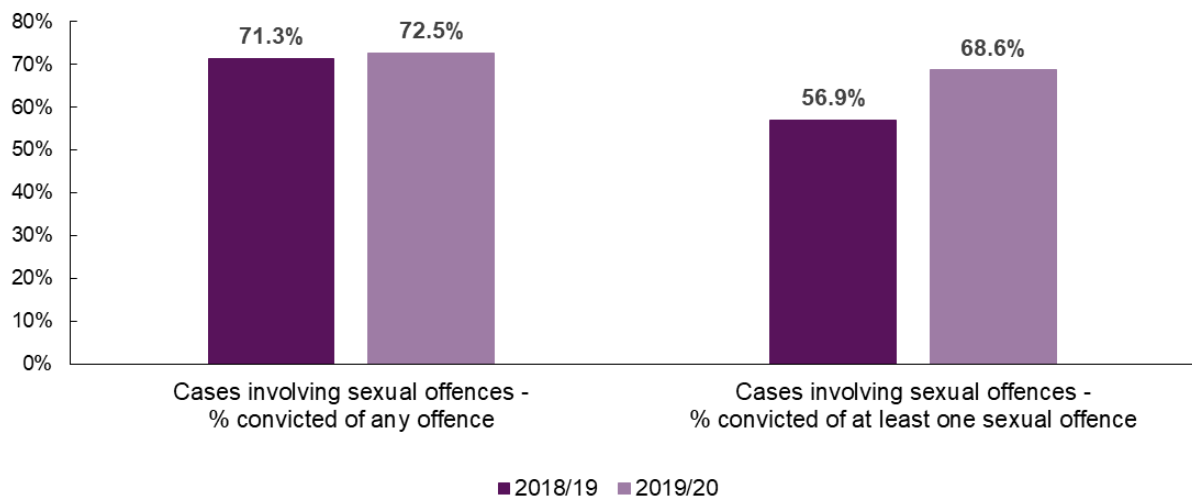


Table 1: Files Received
2018/19 and 2019/20¹

Financial Year	Rape Number of files	Other Sexual Offences Number of files	All Sexual Offences Number of files
2019/20	652	1,032	1,684
2018/19	610	984	1,594
% Change (Files Received) 2018/19 to 2019/20	6.9%	4.9%	5.6%

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

Table 2: Suspects on Files Received by Police Recommendation

2018/19 and 2019/20¹

Financial Year	Recommendation ²	Rape	Other Sexual Offences	All Sexual Offences
		Number of persons	Number of persons	Number of persons
2019/20	Prosecution	172	532	704
	Diversion	4	22	26
	No Prosecution/ No Recommendation	530	541	1,071
	All Suspects	706	1,095	1,801
2018/19	Prosecution	167	509	676
	Diversion	3	26	29
	No Prosecution/No Recommendation	467	513	980
	All Suspects	637	1,048	1,685
% Change (Suspects Received) 2018/19 to 2019/20		10.8%	4.5%	6.9%

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

² See explanatory notes, page 24.

Table 3: Information Requests Submitted to Police by Request Type

2018/19 and 2019/20¹

Financial Year	Request Type ²	Rape	Other Sexual Offences	All Sexual Offences
		Number of requests	Number of requests	Number of requests
2019/20	Full File Request	43	155	198
	Decision Information Request	400	628	1,028
	Post Decision Information Request	201	650	851
	No Decision	13	17	30
	All Requests Submitted	657	1,450	2,107
2018/19	Full File Request	40	118	158
	Decision Information Request	187	467	654
	Post Decision Information Request	172	600	772
	No Decision	9	9	18
	All Requests Submitted	408	1,194	1,602
% Change (Requests Submitted) 2018/19 to 2019/20		61.0%	21.4%	31.5%

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

² See explanatory notes, page 24.

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

2018/19 and 2019/20¹

	Type of Decision ²	Number of persons (decisions issued)	Number of persons (decisions issued)
		2019/20	2018/19
For Sexual Offences	Indictable prosecution	235	229
	Summary prosecution	178	162
	Total Diversion ³	21	21
	All Prosecution & Diversion Decisions-For Sexual Offences	434	412
For Other Offences	Indictable prosecution	11	-
	Summary prosecution	47	#
	Total Diversion ³	11	13
	All Prosecution & Diversion Decisions-For Other Offences	69	60
All Decisions Issued		1,755	1,721
	% meeting the Test for Prosecution (for a sexual offence)⁴	24.7%	23.9%
	Overall % meeting the Test for Prosecution (for any offence)⁴	28.7%	27.4%
% Change (Decisions Issued) 2018/19 to 2019/20		2.0%	

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

² See explanatory note, page 24.

³ For information on the types of diversions see the explanatory notes pages 24-25.

⁴ For an explanation of how the percentage meeting the Test for Prosecution is calculated, please see explanatory notes page 25.

"-" 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

2018/19 and 2019/20¹

Type of Decision ²		Number of persons (decisions issued)	Number of persons (decisions issued)
		2019/20	2018/19
For an Offence of Rape	Indictable prosecution	70	#
	Summary prosecution	-	0
	Total Diversion ³	-	-
	Total Prosecutions & Diversions - For an offence of rape	73	76
For Other Sexual Offences	Indictable prosecution	13	7
	Summary prosecution	#	3
	Total Diversion ³	-	0
	Total Prosecutions & Diversions - For Other Sexual Offences	19	10
For Other Offences	Indictable prosecution	-	-
	Summary prosecution	#	#
	Total Diversion ³	#	8
	Total Prosecution - For Other Offences	8	17
No Prosecution		578	567
All Decisions Issued		678	670
% meeting the Test for Prosecution (for an offence of rape) ⁴		10.8%	11.3%
% meeting the Test for Prosecution (for a sexual offence including rape) ⁴		13.6%	12.8%
Overall % meeting the Test for Prosecution (for any offence)⁴		14.7%	15.4%
% Change (Decisions Issued) 2018/19 to 2019/20		1.2%	

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

² See explanatory notes, page 24.

³ For information on the types of diversions see the explanatory notes pages 24-25.

⁴ For an explanation of how the percentage meeting the Test for Prosecution is calculated, please see explanatory notes page 25.

"-" refers to a count less than 3.

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

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

2018/19 and 2019/20¹

Type of Decision ²		Number of persons (decisions issued)	Number of persons (decisions issued)
		2019/20	2018/19
For Other Sexual Offences	Indictable prosecution	152	#
	Summary prosecution	#	159
	Total Diversion ³	#	#
	Total Prosecutions & Diversions - For Other Sexual Offences	342	326
For Other Offences	Indictable prosecution	#	0
	Summary prosecution	#	38
	Total Diversion ³	#	5
	Total Prosecution - For Other Offences	61	43
No Prosecution		674	682
All Decisions Issued		1,077	1,051
% meeting the Test for Prosecution (for other sexual offences) ⁴		31.8%	31.0%
Overall % meeting the Test for Prosecution (for any offence)⁴		37.4%	35.1%
% Change (Decisions Issued) 2018/19 to 2019/20		2.5%	

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

² See explanatory notes, page 24.

³ For information on the types of diversions see the explanatory notes pages 24-25.

⁴ For an explanation of how the percentage meeting the Test for Prosecution is calculated, please see explanatory notes page 25.

"-" refers to a count less than 3.

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

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

2018/19 and 2019/20¹

Financial Year	Reason for no prosecution ²	Rape	Other Sexual Offences	All Sexual Offences
		Number of persons (decisions issued)	Number of persons (decisions issued)	Number of persons (decisions issued)
2019/20	Did not pass the evidential test	#	#	1,244
	Did not pass the public interest test	-	#	8
	All no prosecution decisions	578	674	1,252
2018/19	Did not pass the evidential test	563	661	1,224
	Did not pass the public interest test	4	21	25
	All no prosecution decisions	567	682	1,249
% Change (Decisions Issued) 2018/19 to 2019/20		1.9%	-1.2%	0.2%

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

² See explanatory notes, page 25.

"-" 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: Number of Days Required for the Issue of Prosecutorial Decisions by Decision Type (Median and 80th Percentile)
2018/19 and 2019/20^{1,2}

Financial Year	Type of Decision ³	Rape		Other Sexual Offences		All Sexual Offences	
		Median (Calendar Days)	80th Percentile (Calendar Days)	Median (Calendar Days)	80th Percentile (Calendar Days)	Median (Calendar Days)	80th Percentile (Calendar Days)
2019/20	Indictable prosecution	293	745	252	632	255	666
	Summary prosecution	-	-	20	80	20	83
	Diversion ³	-	-	-	-	-	-
	No Prosecution	49	163	42	180	44	176
2018/19	Indictable prosecution	226	454	273	443	256	447
	Summary prosecution	-	-	43	147	45	148
	Diversion ³	-	-	-	-	-	-
	No Prosecution	74	209	56	165	65	183

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

² Median and 80th percentile days includes time taken for police to respond to decision information requests (see explanatory notes, page 25).

³ See explanatory notes, page 24.

³ For information on the types of diversions see the explanatory notes pages 24-25.

"-" refers to a category where a median or 80th percentile is not provided due to the base number being too small.

Table 5: Summonses Issued by Service Method

2018/19 and 2019/20¹

Financial Year	Service Method ²	Rape	Other Sexual Offences	All Sexual Offences
		Number of summonses	Number of summonses	Number of summonses
2019/20	Postal Service	2	79	81
	Personal Service	45	167	212
	All Summonses	47	246	293
2018/19	Postal Service	0	79	79
	Personal Service	56	172	228
	All Summonses	56	251	307
% Change (Summonses Issued) 2018/19 to 2019/20		-16.1%	-2.0%	-4.6%

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

² See explanatory notes, page 26.

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

2018/19 and 2019/20¹

Financial Year	Outcome ²	All Sexual Offences
		Number of persons (defendants)
2019/20	Convicted of at least one offence	150
	<i>Of which:</i>	
	<i>Convicted of at least one sexual offence (including rape)</i>	20
	<i>Convicted of at least one sexual offence (excluding rape)</i>	119
	<i>Convicted of at least one other offence</i>	11
	Acquitted	65
	Other	2
	All defendants	217
	Conviction Rate² – Any offence (%)	69.1%
	Conviction Rate² – At least one sexual offence (%)	64.1%
2018/19	Convicted of at least one offence	101
	<i>Of which:</i>	
	<i>Convicted of at least one sexual offence (including rape)</i>	10
	<i>Convicted of at least one sexual offence (excluding rape)</i>	80
	<i>Convicted of at least one other offence</i>	11
	Acquitted	52
	Other	4
	All defendants	157
	Conviction Rate² – Any offence (%)	64.3%
	Conviction Rate² – At least one sexual offence (%)	57.3%
% Change (Defendants dealt with) 2018/19 to 2019/20	38.2%	

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

² See explanatory notes, pages 26-27.

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

2018/19 and 2019/20¹

Financial Year	Outcome ²	Rape
		Number of persons (defendants)
2019/20	Convicted of at least one offence	36
	<i>Of which:</i>	
	<i>Convicted of at least one sexual offence including rape</i>	20
	<i>Convicted of at least one sexual offence but not including rape</i>	13
	<i>Convicted of at least one other offence</i>	3
	Acquitted	30
	Other	1
	All defendants	67
	Conviction Rate² Any offence (%)	53.7%
	Conviction Rate² Rape (%)	29.9%
2018/19	Convicted of at least one offence	27
	<i>Of which:</i>	
	<i>Convicted of at least one sexual offence including rape</i>	10
	<i>Convicted of at least one sexual offence but not including rape</i>	13
	<i>Convicted of at least one other offence</i>	4
	Acquitted	20
	Other	1
	All defendants	48
	Conviction Rate² Any offence (%)	N/A³
	Conviction Rate² Rape (%)	N/A³
% Change (Defendants dealt with) 2018/19 to 2019/20		N/A³

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

² See explanatory notes, pages 26-27.

³ Conviction rate/percentage change stated as 'N/A' due to the base numbers being too small to allow for the calculation of a percentage.

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

2018/19 and 2019/20¹

Financial Year	Outcome ²	Other Sexual Offences
		Number of persons (defendants)
2019/20	Convicted of at least one offence	114
	<i>Of which:</i>	
	<i>Convicted of at least one sexual offence (excluding rape)</i>	106
	<i>Convicted of at least one other offence</i>	8
	Acquitted	35
	Other	1
	All defendants	150
	Conviction Rate² – Any offence (%)	76.0%
	Conviction Rate² – At least one sexual offence (excluding rape) (%)	70.7%
	2018/19	Convicted of at least one offence
<i>Of which:</i>		
<i>Convicted of at least one sexual offence (excluding rape)</i>		67
<i>Convicted of at least one other offence</i>		7
Acquitted		32
Other		3
All defendants		109
Conviction Rate² – Any offence (%)		67.9%
Conviction Rate² – At least one sexual offence (excluding rape) (%)		61.5%
% Change (Defendants dealt with) 2018/19 to 2019/20		37.6%

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

² See explanatory notes, pages 26-27.

Table 7: Defendants Dealt with in the Magistrates' and Youth Courts by Outcome¹

2018/19 and 2019/20²

Financial Year	Outcome ³	All Sexual Offences
		Number of persons (defendants)
2019/20	Convicted of at least one offence	111
	<i>Of which:</i>	
	<i>Convicted of at least one sexual offence</i>	105
	<i>Convicted of at least one other offence</i>	6
	Acquitted	13
	Other	29
	All defendants	153
	Conviction Rate³ – Any offence (%)	72.5%
	Conviction Rate³ – At least one sexual offence (%)	68.6%
2018/19	Convicted of at least one offence	119
	<i>Of which:</i>	
	<i>Convicted of at least one sexual offence</i>	95
	<i>Convicted of at least one other offence</i>	24
	Acquitted	23
	Other	25
	All defendants	167
	Conviction Rate³ – Any offence (%)	71.3%
	Conviction Rate³ – At least one sexual offence (%)	56.9%
% Change (Defendants dealt with) 2018/19 to 2019/20		-8.4%

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 24-25).

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

³ See explanatory notes, pages 26-27.

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 <https://www.ppsni.gov.uk/publications/statistical-bulletin-cases-involving-sexual-offences-201920>.

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 (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. '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 (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.

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.

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).

Median days is the number of days at which 50% of those persons included under counting rules have had a first decision issued. Eightieth percentile is the number of days at which 80% of those persons included under counting rules have had a first decision issued. Median and eightieth percentile 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. Data reflect the number of persons where PPS has issued a decision to prosecute a sexual offence. Defendants against whom charges were withdrawn prior to decision are excluded. Additionally, defendants for whom a sexual offence was added to the statement of complaint or the bill of indictment after the decision issued are not included.

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 issued a decision to prosecute a sexual offence. Defendants against whom charges were withdrawn prior to decision are excluded. Additionally, defendants for whom a sexual offence

was added to the statement of complaint or the bill of indictment after the decision issued are not included.

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 2020/21, will be published in autumn 2021.

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