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Statistics and Research Branch

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on the Northern Ireland
Criminal Justice System**

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FORWARD

This is the twelfth edition of the Digest of Information on the Northern Ireland Criminal Justice System and the second volume published by the Department of Justice. As with previous editions, its aim is to present, in a user-friendly way, a comprehensive picture of key developments and statistics relating to crime and justice in Northern Ireland. The Digest draws on information from a variety of sources, including government departments, statutory agencies and non-statutory organisations.

In presenting statistics throughout this report, it has not been possible to adopt a standard time period for reporting purposes. This is due to variation in the accounting periods adopted across the system for the purposes of reporting statistics – some organisations report on a financial year basis, others report on a calendar year basis. The majority of the statistics presented, however, refer to either the 2009/10 financial year or the 2010 calendar year.

Historically the Digest has been published on a biennial basis. In the interests, however, of providing more timely information, the Digest is now updated on a bi-annual basis. Thus updated editions of the Digest are available in the Spring and the Autumn of each year. The Spring edition incorporates updates of those sections normally reported on a calendar year basis and the Autumn edition incorporates updates of those sections normally reported on a financial year basis.

Improving the availability and dissemination of criminal justice data is an important aim of the Department of Justice. The Digest is but one of a series of publications produced to achieve this aim. A list of publications produced by the Statistics and Research Branch of the Department of Justice is provided in Appendix C. These are available for downloading from the Department of Justice web site (www.dojni.gov.uk).

Further information on this Digest can be obtained from:

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Chapter 1

Overview

Introduction

Summary of Key Statistics

Introduction

- ◆ This chapter provides a summary of the key statistics detailed in the body of the Digest, and by doing so also provides, at a glance, a statistical overview of some of the major areas of interest in the criminal justice field.
- ◆ As can be discerned from the following information, there has been a huge impact on the Criminal Justice System following the devolution of policing and justice powers to the Northern Ireland Assembly, with effect from April 2010. These changes have been outlined where possible but further information is available on the Department of Justice website www.dojni.gov.uk
- ◆ The majority of the information contained in this Digest is already publicly available; however it is included in a variety of publications from a wide range of sources. One of the main purposes of the Digest is to provide a readily accessible picture of the full span of criminal justice activity and to do this in as non-technical a way as possible.
- ◆ This is a National Statistics publication. Information relating to recorded crime, the crime victimisation and fear of crime elements of the Northern Ireland Crime Survey, and prison population data are all deemed National Statistics. The remaining data either do not currently fall under the banner of National Statistics or do not meet all of the high professional standards set out in the National Statistics Code of Practice. Nevertheless they have been published in this National Statistics volume alongside other statistics in the interests of continuity and statistical integration, and in order to meet users' need for easy access to the full range of available statistics.
- ◆ The Digest should be of interest not only to those within the criminal justice system but also to teachers, students, researchers, the media, and the general public who ultimately fund the process. Its publication is an indication of the Government's continuing commitment to improve and develop the range of published information about the criminal justice system in Northern Ireland.
- ◆ Unless otherwise specified all text, figures and tables refer to Northern Ireland. Where percentages are used, figures may not sum to 100 due to rounding.
- ◆ Users should also be aware that figures can be updated monthly, quarterly or annually and that care should be taken to ensure that the information contained in this volume has not been superseded.

Summary of Key Statistics

Chapter 2: Crime

- ◆ In 2010/11 there were 105,040 crimes recorded, a decrease of 3.8% on the previous year.
- ◆ In 2010/11, of the 105,040 notifiable offences recorded by the police, 62% (65,414) involved property (burglary, theft, criminal damage and fraud and forgery), while 31% (32,863) were classed as violent (violence against the person, sexual and robbery offences). Vehicle crime (theft from vehicles, theft or unauthorised taking of vehicles and vehicle tampering/interference) accounted for 27% of all theft offences and 7% of all recorded crime (down from 31% and 8% in 2009/10).
- ◆ When 2009/10 recorded crime rates per 100,000 population are calculated for each jurisdiction, it is apparent that the rates in England and Wales are higher than those in Northern Ireland for overall crime (7,970 v 6,149). Figures for 2010/11 are not yet available on a comparable basis.
- ◆ Half (50%) of all NICS 2009/10 crimes that are comparable with recorded crime categories were reported to the police. This compares with 43% in England and Wales (BCS 2009/10).

Chapter 3: Perceptions and Experience of Crime and Anti-Social Behaviour

- ◆ Findings show that 14.3% of all NICS 2009/10 households and their adult occupants were victims of at least one NICS crime during the 12 months prior to interview. This suggests that the risk of becoming a victim of crime remains lower in Northern Ireland (14.3%) than in England and Wales (21.5%). These figures compare with 13.4% and 23.4% (respectively) as measured through the 2008/09 surveys, and represent a narrowing of the victimisation gap between both jurisdictions.
- ◆ While the overall violent crime victimisation rate for NICS 2009/10 respondents (2.2%) was not significantly different ($p < 0.05$) to NICS 2008/09 (2.5%), it was lower than that observed in England and Wales (3.1%; BCS 2009/10).
- ◆ Throughout the last decade, the likelihood of becoming a victim of violent crime in Northern Ireland has also significantly reduced ($p < 0.05$), with the prevalence rate halving from 4.4% in 1998 to 2.2% in 2009/10.
- ◆ Results from NICS 2008/09 and BCS 2008/09 show that households in England and Wales (2.5%) were almost twice as likely as those in Northern Ireland (1.3%) to be victims of domestic burglary.

Chapter 4: Support for Victims

- ◆ During 2009/10 Victim Support Northern Ireland received 26,453 referrals. They assisted 2,107 claimants for criminal injuries compensation and provided support for 7,109 victims and witnesses at court.

- ◆ The number of awards made for criminal injuries increased by 15%, from 1,596 in 2008/09 to 1,833 in 2009/10. Over this same period, the number of awards made for criminal damage fell by 17%, down from 256 in 2008/09 to 212 in 2009/10.
- ◆ The average amount of compensation received by victims of criminal injury in 2009/10 was £12,036; the average amount of compensation received by victims of criminal damage in the same year was £25,208.

Chapter 5: Arrests and Cautions

- ◆ In 2008/09, a total of 27,095 arrests were made under the Police and Criminal Evidence Order (PACE). Approximately three fifths of those arrested (61%) asked for others (solicitor, friend, relative or other person) to be informed of their detention.
- ◆ In 2008, there were 150 persons detained under section 41 of the Terrorism Act, a slight rise from 145 in 2007.
- ◆ In 2008/09, 4,517 notifiable offences were cleared by the use of a caution, a small increase from 2007/08 (4,325).

Chapter 6: Prosecutions

- ◆ In 2009/10 a total of 1,503 youth conference plans, including diversionary and court ordered, were approved.
- ◆ In 2006, 31,374 persons were proceeded against at the criminal courts in Northern Ireland, a 2% increase on 2005 (30,609).
- ◆ In 2006, the number of defendants proceeded against at magistrates' courts was 29,749, 84% (25,028) of whom were found guilty.
- ◆ 1,625 defendants were proceeded against at the Crown Court in 2006, 82% (1,335) of whom were found guilty.
- ◆ In 2009 the average Crown Court waiting time between committal to start of trial was 118 days and between conviction to disposal was 43 days.

Chapter 7: Offenders

- ◆ Males accounted for the vast majority (87%) of those found guilty at all courts in 2006.
- ◆ In 2006, the rate of conviction per 10,000 population was highest for males aged 19 years and for females aged 24 years.
- ◆ In 2006, 1,273 juveniles were found guilty, 62% (785) of whom were sentenced for indictable offences.

Chapter 8: Sentencing

- ◆ The fine is the most common disposal given in Northern Ireland. Out of 26,363 persons sentenced in 2006, 66% (17,362) of offenders were fined. Equal proportions of males and females (both 66%) were given this disposal.
- ◆ In 2006, males (9%) were three times more likely than females (3%) to be given immediate custody.
- ◆ At magistrates' courts a fine was the most common disposal, 17,311 (69%) imposed in 2006.
- ◆ At the Crown Court, 58% (773) of those sentenced in 2006 received an immediate custodial sentence.
- ◆ In 2006, the average immediate custodial sentence length given to those found guilty of any offence at magistrates' courts was 4 months; the average immediate custodial sentence length at the Crown Court (excluding life sentences) was just under 31 months.

Chapter 9: Sentencing Trends

- ◆ There was a general downward trend in the number of offenders sentenced to immediate custody with the number falling from 2,168 in 1996 to 1,778 in 2001. In 2004, the number sentenced to immediate custody, 2,252, was at its highest in the documented ten year period. The number sentenced fell in 2005 to 2,111, before rising to 2,204 in 2006.
- ◆ After a decline in the numbers sentenced to the young offenders centre from 549 in 1996 to 223 in 2000, the number sentenced then increased to reach 503 in 2004, before falling to 404 in 2006.
- ◆ Those given suspended prison and young offenders centre sentences accounted for 9% of all court disposals in 2006. The total for 2006, 2,336, was an increase of 3% on the 2005 total of 2,264.
- ◆ At the end of December 2009, PBNI were supervising a total of 4,462 orders, an increase of 6% compared with the previous year (4,198).
- ◆ The average fine imposed as a main penalty in 2006 was £173.

Chapter 10: Appeals

- ◆ Eighty-four appeals were lodged in the Court of Appeal in 2009.
- ◆ In 2009, 54% of appeals lodged were against sentence compared with 72% in 2008.
- ◆ In 2009, 57% of appeals resulted in the original decision being confirmed (either dismissed or abandoned); equal proportions resulted in the conviction being quashed or sentenced being varied (both 22%).

Chapter 11: Custody

- ◆ The overall annual average prison population in Northern Ireland decreased by almost 2% from an average of 1,490 in 2008 to an average of 1,465 in 2009. The 2009 average remand population of 505 was almost unchanged from the 2008 level (507), whilst the average immediate custody population in 2009 (934) was 2% lower than in 2008 (955).
- ◆ The total number of receptions into prison decreased by almost 5% from 6,185 in 2008 to 5,892 in 2009.
- ◆ The overall prison population was predominantly male (97% in 2009). Males also made up 96% of all receptions into prison during 2009.
- ◆ In 2009, 67% of the immediate custody prisoner population were serving sentences for violent offences (violence against the person, sexual offences or robbery).
- ◆ The total numbers admitted into the Juvenile Justice Centre increased from 254 in 2008 to 340 in 2009. The average population in the Juvenile Justice Centre was 27 in 2009.

Chapter 12: Confidence in Policing and the Criminal Justice System

- ◆ Findings from NICS 2009/10 suggest that, at 79.2%, the level of public confidence in the police and police accountability arrangements (based on a seven-strand composite measure) remains on a par with that measured in 2007/08 and 2008/09 (both 79.4%).
- ◆ Findings from NICS 2009/10 indicate that, at 39.7%, overall confidence in community engagement by the local police and partnership agencies has fallen since 2007/08 (42.4%) and is now almost 10 percentage points lower than the equivalent figure in England and Wales (49.2%; BCS 2009/10).
- ◆ NICS 2009/10 respondents remained more likely to think the criminal justice system as a whole is fair (57.6%) than effective (37.3%) - a trend that is reflected in England and Wales (59.4% and 40.7% respectively; BCS 2009/10).

Chapter 13: Department of Justice Human Resources and Expenditure

- ◆ The Northern Ireland Department of Justice was created on 12 April 2010 following devolution of policing and justice powers from Westminster.
- ◆ There are four 'arms length bodies' (Police Service of Northern Ireland, NI Policing Board, Police Ombudsman and the Probation Board as well as five agencies (Compensation Agency, NI Courts and Tribunals Service, Youth Justice Agency, Forensic Science NI and NI Prison Service) that fall under the control of the Department. Responsibility for the Public Prosecution Service and the Crown Solicitor's Office were retained by the Northern Ireland Office, which remains answerable directly to Westminster.
- ◆ The number of regular police officers has increased by 2.3%, from 7,149 in 2001 to 7,316 in 2009.
- ◆ At March 2010, the staff of the Northern Ireland Policing Board comprised of 38 seconded civil servants from the Northern Ireland Civil Service and 23 direct recruits appointed following public advertisement.

- ◆ At the end of March 2010, the Probation Board was supervising 4,298 offenders, compared to 4,042 at 31 March 2009, an increase of 6%. At the end of March 2010, these people were subject to a total of 4,584 orders (4,306 at 31 March 2009).
- ◆ The Northern Ireland Court Service, which was formerly the Lord Chancellor's Department in Northern Ireland, became the Northern Ireland Courts and Tribunals Service (NICTS) on 12 April 2010 with the transfer of responsibility for policing and justice to the Northern Ireland Assembly.
- ◆ The average cost per prisoner place in 2009/10 was £77,831. This is below the target of £78,750.

Chapter 2

Crime

Crimes Recorded by the Police: Historical Trends

Crimes Recorded by the Police: Types of Crime

Overall Recorded Crime 2010/11

Crime Reporting Rates in Northern Ireland: Northern Ireland Crime Survey

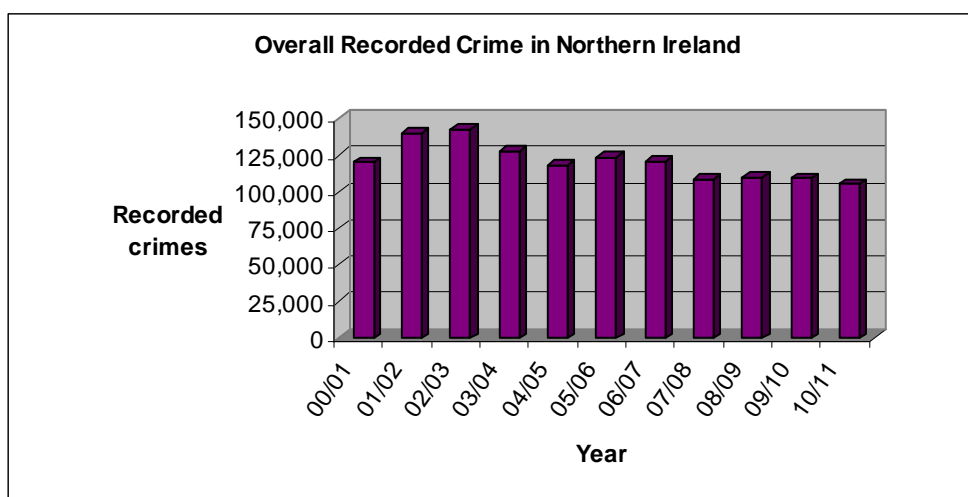
Security Situation Incidents – Deaths and Injuries

Security Situation Incidents – Paramilitary-Style Attacks

Crimes Recorded by the Police: Historical Trends

- ◆ New Home Office counting rules came into effect in April 1998 and the police now record crimes that were not previously part of official figures. For the first time, minor offences such as low value criminal damage and common assaults were recorded. Figures prior to April 1998 are not directly comparable.
- ◆ Between 1998/99 and 2002/03, recorded crime levels in Northern Ireland increased by 31%, from 109,053 to 142,496, much of this related to the introduction of a new National Crime Recording Standard in 2001/02. By 2007/08 the level of recorded crime had fallen by 24%, to 108,468, the lowest level of recorded crime in Northern Ireland since the new counting rules were introduced, before rising again to 110,094 in 2008/09. In 2010/11 there were 105,040 crimes recorded, a decrease of 3.8% on the previous year.
- ◆ The recorded crime rate per 100,000 population has fallen from 6,149 in 2009/10 to 5,871 in 2010/11.

Figure 2.1: Overall Recorded Crime in Northern Ireland



Crimes Recorded by the Police: Types of Crime

- ◆ In 2010/11, of the 105,040 notifiable offences recorded by the police, 62% (65,414) involved property (burglary, theft, criminal damage and fraud and forgery), while 31% (31,863) were classed as violent (violence against the person, sexual and robbery offences). Vehicle crime (theft from vehicles, theft or unauthorised taking of vehicles and vehicle tampering/interference) accounted for 27% of all theft offences and 7% of all recorded crime (down from 31% and 8% in 2009/10).
- ◆ When 2009/10 recorded crime rates per 100,000 population are calculated for each jurisdiction, it is apparent that the rates in England and Wales are higher than those in Northern Ireland for overall crime (7,970 v 6,149). Figures for 2010/11 are not yet available on a comparable basis.

Overall Recorded Crime 2010/11

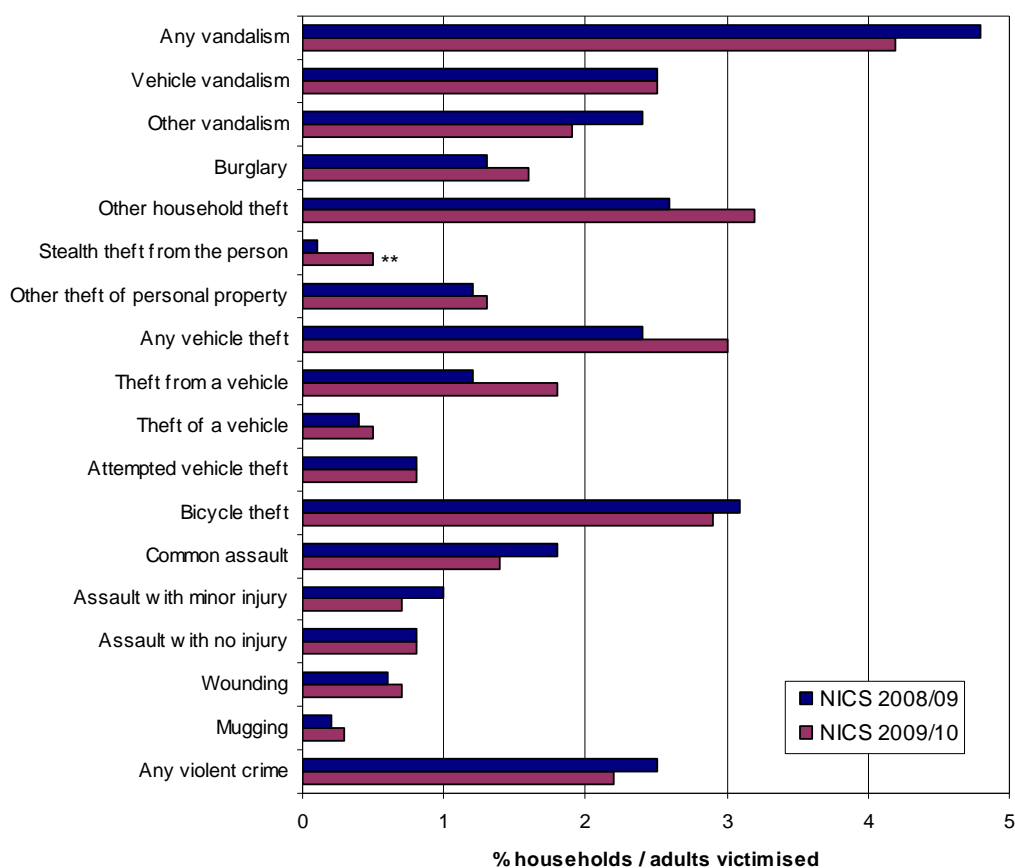
- ◆ A total of 105,040 offences were recorded during 2010/11 compared with 109,139 in 2009/10. This represents a decrease of 4,099 (-3.8%). This is also the lowest level of crime recorded since the revised Home Office Counting Rules were introduced in April 1998.
- ◆ The months from November 2010 to February 2011 saw low crime levels, similar to those experienced during the same period in the previous financial year. The lowest monthly crime figure since the revised Home Office Counting Rules were introduced in April 1998 occurred during December 2010 when 7,354 crimes were recorded. Prior to that the lowest monthly figure was 7,824 in January 2010. It should be noted that these low crime levels experienced over the last couple of years coincide with the more extreme weather conditions across Northern Ireland at those times.
- ◆ The overall detection rate during 2010/11 was 27.3%, 1.5 percentage points higher than that achieved in 2009/10.
- ◆ The sanction detection rate has increased each year since 2001/02 when it stood at 11.3% to the current level of 27.3% (since 2007/08 both the sanction and overall detection rates have been effectively one and the same).
- ◆ Overall violent crime fell by 237 (-0.7%) from 33,100 to 32,863.
- ◆ The violent crime detection rate also increased from 34.1% to 36.9% (+2.8 percentage points).

Source PSNI Annual Statistical Report 2010/11

Crime Reporting Rates in Northern Ireland: Northern Ireland Crime Survey

- ◆ The Northern Ireland Crime Survey (NICS) is a representative, continuous personal interview survey of the experiences and perceptions of crime of around 4,000 adults living in private households throughout Northern Ireland and closely mirrors the British Crime Survey (BCS), the equivalent survey for England and Wales.
- ◆ Half (50%) of all NICS 2009/10 crimes that are comparable with recorded crime categories were reported to the police. This compares with 43% in England and Wales (BCS 2009/10).
- ◆ Findings from NICS 2009/10 indicate that burglary (71%) displayed the highest reporting rate, reflecting the seriousness of the incidents and the associated likelihood of insurance claims. The most common reason for not reporting a crime, cited by 76% of victims, was ‘too trivial / no loss / police would not / could not do anything’.
- ◆ While the apparent increase in the burglary prevalence rate between NICS 2008/09 (1.3%) and 2009/10 (1.6%) is not statistically significant ($p < 0.05$), the increase in the rate for attempted burglary is significant (0.4% to 0.7%). This rise is consistent with the net 8.3% increase in domestic burglary (which includes attempts) recorded crime between 2007/08 (6,712) and 2009/10 (7,270) (Figure 2.2).

Figure 2.2: Households / adults victims of crime once or more in Northern Ireland by crime type (%)



Source: Experience of Crime: Findings from the 2009/10 Northern Ireland Crime Survey. DOJ Research and Statistical Bulletin 4/2010

Security Situation Incidents – Deaths and Injuries

- ◆ During 2010/11 there was one security related death, one fewer than in the previous year. With 2007/08, this is the lowest number of security related deaths recorded in one single year since police records began in 1969.
- ◆ The number of shooting incidents decreased from 79 in 2009/10 to 72 in 2010/11.
- ◆ There was a marked increase in the number of bombing incidents from 50 in 2009/10 to 99 in 2010/11. This was the highest number recorded in 8 years, although it's significantly lower than the 2001/02 figure in which there were 318 bombing incidents.

Security Situation Incidents – Paramilitary-Style Attacks

- ◆ During 2010/11 there were 83 casualties as a result of paramilitary-style attacks (i.e. both shootings and assaults), compared with 127 casualties recorded in the previous year.
- ◆ Paramilitary-style shootings accounted for 33 casualties, all of which were attributed to Republicans.
- ◆ Paramilitary-style assaults accounted for the remaining 50 victims with 34 of such assaults attributed to Loyalists and 16 to Republicans.
- ◆ In comparison with the previous year, the number of casualties of paramilitary-style shootings decreased by 13 while the number of paramilitary-style assaults decreased by 31.

Sources: PSNI Statistical Report 2010/11; www.psni.police.uk

Chapter 3

Perceptions and Experience of Crime and Anti-Social Behaviour

Victimisation and Incidence Rates

Characteristics of Victims: Violent Crime

Crime Victimisation (Prevalence) Rates

Crime Victimisation (Prevalence) Rates for Household Offences

Domestic Violence: Police and Court Statistics

Hate Incidents and Crimes

Perceptions of Causes of Crime, Crime Levels and Anti-Social Behaviour in the Local Area

Views on Organised Crime in Northern Ireland

Victimisation and Incidence Rates

- ◆ The Northern Ireland Crime Survey (NICS) can be used to derive victimisation rates for a range of crimes affecting households and their adult occupants.
- ◆ Findings show that 14.3% of all NICS 2009/10 households and their adult occupants were victims of at least one NICS crime during the 12 months prior to interview. This suggests that the risk of becoming a victim of crime remains lower in Northern Ireland (14.3%) than in England and Wales (21.5%). These figures compare with 13.4% and 23.4% (respectively) as measured through the 2008/09 surveys, and represent a narrowing of the victimisation gap between both jurisdictions.
- ◆ An estimated 189,000 incidents of crime occurred during the 12-month recall periods for NICS 2009/10, up 7% on NICS 2008/09 (176,000) but more than a third (36%) lower than the peak in NICS 2003/04 (295,000), equating to 106,000 fewer crimes.

Source: Experience of Crime: Findings from the 2009/10 Northern Ireland Crime Survey. DOJ Research and Statistical Bulletin 4/2010

Characteristics of Victims: Violent Crime

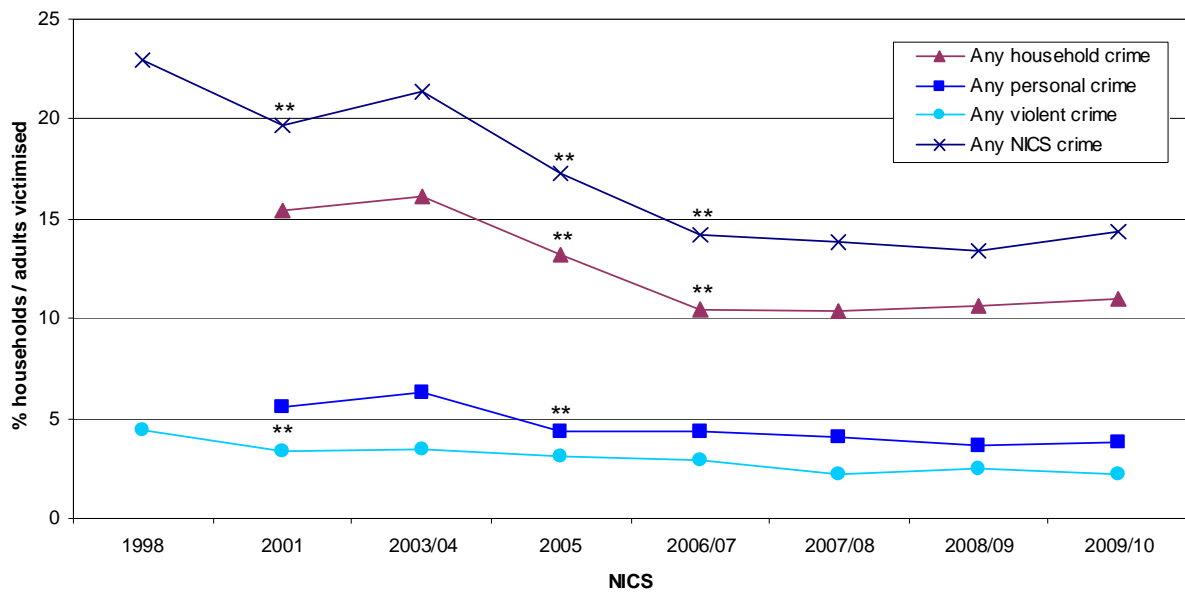
- ◆ While the overall violent crime victimisation rate for NICS 2009/10 respondents (2.2%) was not significantly different ($p < 0.05$) to NICS 2008/09 (2.5%), it was lower than that observed in England and Wales (3.1%; BCS 2009/10).
- ◆ The risk associated with violent crime victimisation tends to display an inverse relationship with age; the younger the respondent, the greater the likelihood of falling victim to violent crime. For example, 6.0% of respondents aged 16-24 had experienced violence at least once, compared with 0.2% aged 65-74.
- ◆ Findings from the NICS 2009/10 also indicate that men (2.7%) continue to be more at risk of violent crime in Northern Ireland than their female counterparts (1.8%).
- ◆ When gender and age are considered jointly, it is evident that young males aged 16-24 (7.2%) remain more at risk of violent crime than any other group examined.

Sources: Experience of Crime: Findings from the 2009/10 Northern Ireland Crime Survey. DOJ Research and Statistical Bulletin 4/2010

Crime Victimisation (prevalence) Rates

- ◆ Findings show that 14.3% of all NICS 2009/10 households and their adult occupants were victims of at least one NICS crime during the 12 months prior to interview. While the rate is similar, showing no significant difference ($p < 0.05$), to the equivalent figures for NICS 2008/09 (13.4%), 2007/08 (13.8%) and 2006/07 (14.2%), it is lower than the rates recorded through NICS 1998 (23.0%), 2001 (19.7%), 2003/04 (21.4%) and 2005 (17.3%).
- ◆ Similarly, results of NICS 2009/10 confirmed that the proportion of households and adults affected by household crime (11.0%) and personal crime (3.8%) remained on a par with those recorded through NICS 2008/09 (10.6% and 3.6% respectively).

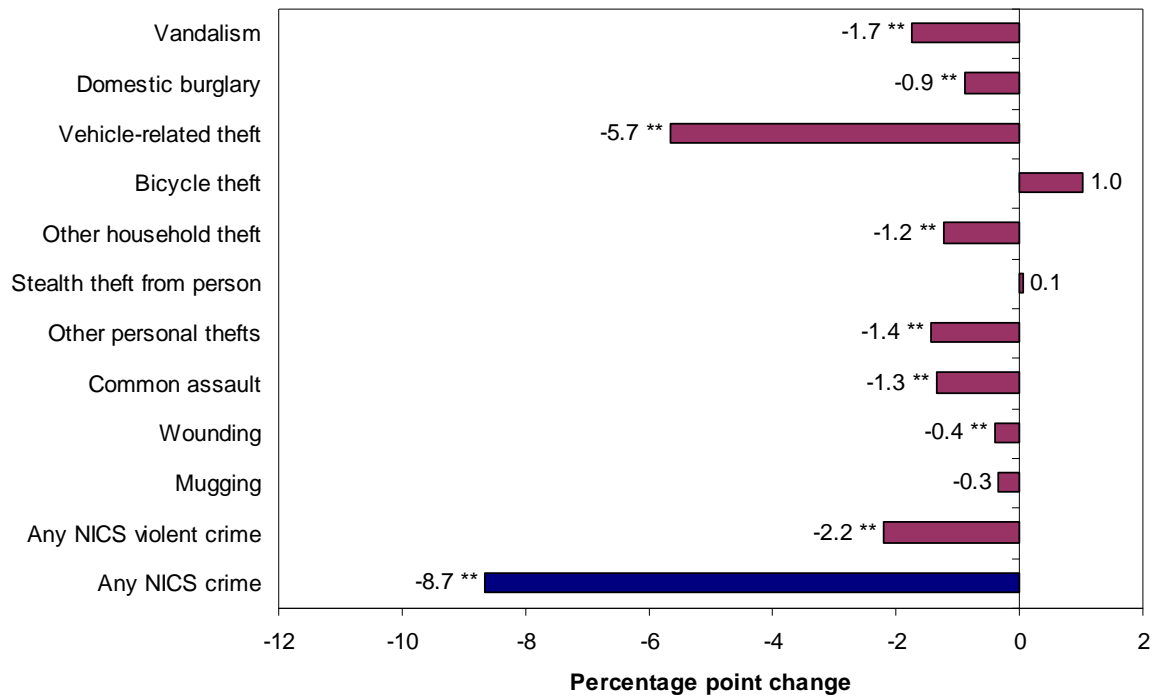
Figure 3.1: Households / adults victims of crime once or more in Northern Ireland for household, personal, violent or any NICS crime (%)



1. Rates for household crime are based on all households.
2. Rates for personal and violent crime are based on all adults and are weighted for household size.
3. Rates for household and personal crime are not available for NICS 1998.
4. '**' denotes statistically significant change at the 5% level ($p < 0.05$) compared with previous year.

- ◆ The risk of becoming a victim of any NICS crime in 2009/10 (14.3%) was significantly lower ($p < 0.05$) than in 1998 when the overall prevalence rate peaked at 23.0%. Much of this reduction was brought about by a statistically significant decrease ($p < 0.05$) in the rate of vehicle-related theft, which fell by 5.7 percentage points (vehicle-owners only), from 8.7% in 1998 to 3.0% in 2009/10.
- ◆ Throughout the last decade, the likelihood of becoming a victim of violent crime in Northern Ireland has also significantly reduced ($p < 0.05$), with the prevalence rate halving from 4.4% in 1998 to 2.2% in 2009/10.
- ◆ The apparent increases in the risk of becoming a victim of bicycle theft (bicycle-owners only) and stealth theft from the person, along with the apparent decrease in mugging, between NICS 1998 and 2009/10 are not statistically significant ($p < 0.05$).

Figure 3.2: Change in NICS victimisation (prevalence) rates for all offences between 1998 and 2009/10



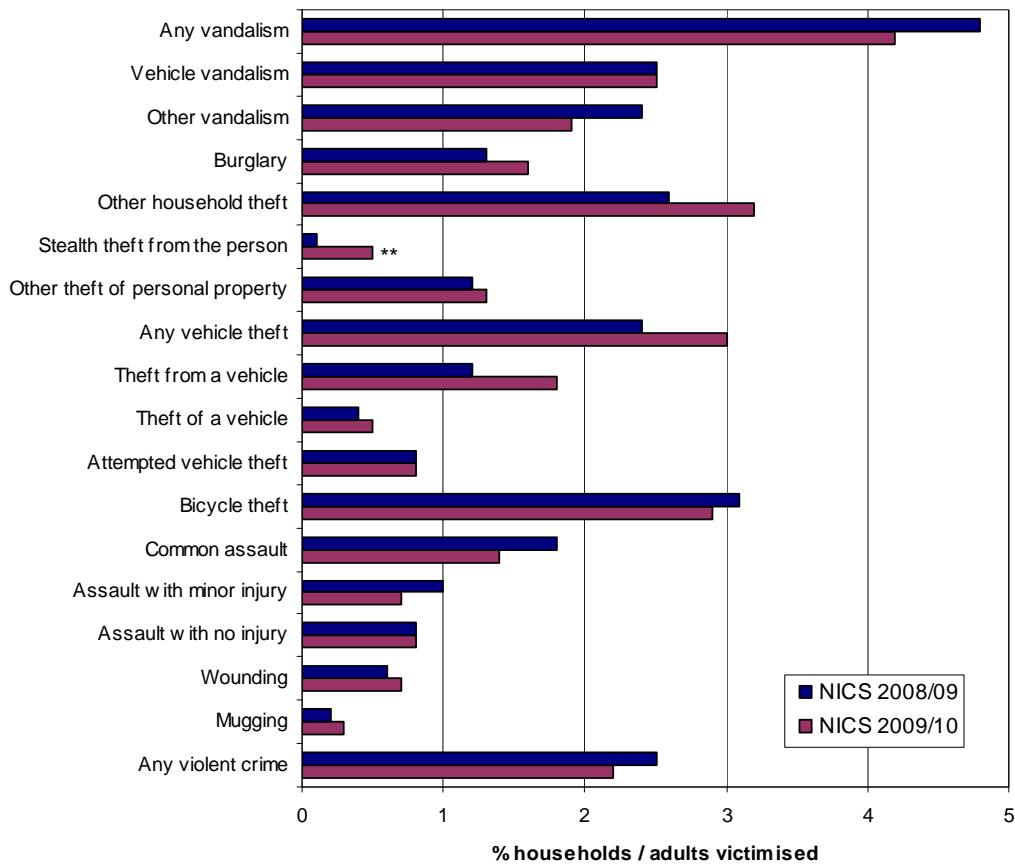
1. Rates for vehicle-related theft are based on all vehicle-owning households.
2. Rates for bicycle theft are based on all bicycle-owning households.
3. Rates for other property offences are based on all households.
4. Rates for violent offences are based on all adults and are weighted for household size.
5. Statistical significance of changes is indicated by a double asterisk at the 5% level (two-tailed tests).

- ◆ While the overall crime victimisation rate observed through NICS 2009/10 (14.3%) showed no significant change to that in 2008/09 (13.4%), recorded crime figures for Northern Ireland fell by 0.9% (955) between 2008/09 (110,094) and 2009/10 (109,139). However, any apparent inconsistency between these datasets becomes somewhat diluted when direct comparison is made within specific crime categories.

Crime victimisation (prevalence) rates for household offences

- ◆ With the exception of attempted burglary, the victimisation rates for all NICS 2009/10 household offences remained on a par with those experienced in 2008/09.
- ◆ While the apparent increase in the burglary prevalence rate between NICS 2008/09 (1.3%) and 2009/10 (1.6%) is not statistically significant ($p < 0.05$), the increase in the rate for attempted burglary is significant (0.4% to 0.7%). This rise is consistent with the net 8.3% increase in domestic burglary (which includes attempts) recorded crime between 2007/08 (6,712) and 2009/10 (7,270).

Figure 3.3: Households / adults victims of crime once or more in Northern Ireland by crime type (%)



1. Rates for vehicle-related theft are based on all vehicle-owning households.
2. Rates for bicycle theft are based on all bicycle-owning households.
3. Rates for other property offences are based on all households.
4. Rates for violent offences are based on all adults and are weighted for household size.
5. Statistical significance of changes is indicated by a double asterisk at the 5% level (two-tailed tests).

- ◆ While the apparent decrease in the prevalence rate for vandalism, from 4.8% in 2008/09 to 4.2% in 2009/10 (2.4% to 1.9% for other vandalism) is not statistically significant at the 5% level ($p < 0.05$), it is consistent with the net 14.4% decline in criminal damage (the nearest equivalent to vandalism) recorded between 2007/08 (30,895) and 2009/10 (26,450).
- ◆ Likewise the apparent increase in the prevalence rate for vehicle-related theft, from 1.9% in 2008/09 to 2.5% in 2009/10 (2.4% to 3% for vehicle owners), while not statistically significant at the 5% level ($p < 0.05$), is reflective of the 4.0% increase in vehicle-related thefts recorded between 2008/09 (7,904) and 2009/10 (8,220).

Domestic Burglary

- ◆ Results from NICS 2008/09 and BCS 2008/09 show that households in England and Wales (2.5%) were almost twice as likely as those in Northern Ireland (1.3%) to be victims of domestic burglary.
- ◆ Among the most likely NICS 2008/09 households to be victims of burglary were those:
 - with a household reference person aged 16-24 (8.3%);
 - in areas perceived by the respondent to have a high level of anti-social behaviour (3.3%);
 - containing single adults with child(ren) (3.1%);
 - living in socially-rented accommodation (2.3%); or

- residents of Policing District E (Armagh, Banbridge, Craigavon and Newry & Mourne) (2.2%; Figure 3.4).

Vehicle-Related Theft

- ◆ Findings from NICS 2008/09 reveal that the risk of becoming a victim of vehicle-related theft in Northern Ireland (2.4% for vehicle-owners) is less than half of that in England and Wales (6.4%; BCS 2008/09).
- ◆ The NICS 2008/09 vehicle-owning households at greatest risk of vehicle-related theft included those:
 - living in areas perceived by the respondent to have a high level of anti-social behaviour (5.2%);
 - with a household reference person aged 25-34 (4.3%);
 - living in Belfast (4.3%);
 - living in socially-rented accommodation (4.1%);
 - owning three or more vehicles (3.9%);
 - located within the 20% most deprived areas of Northern Ireland (3.8%); or
 - respondents who consider their nationality to be Northern Irish (3.7%; Figure 3.5).

Source: Experience of Crime: Findings from the 2008/09 Northern Ireland Crime Survey. NIO Research and Statistical Bulletin 7/2009

Domestic Violence: Police and Court Statistics

- ◆ In 2009/10 and 2010/11 the number of domestic abuse incidents decreased by 1,797 (-7.3%), to 22,685 making 2010/11 the second lowest level of domestic abuse incidents recorded since the data series started in 2004/05. The lowest number of domestic abuse incidents recorded was in 2004/05 (20,959) while 2009/10 showed the highest level recorded, at 24,482.
- ◆ There were 9,546 crimes with a domestic abuse motivation recorded in 2010/11, which is a fall of 357 (-3.6%) on 2009/10. The number of crimes with a domestic abuse motivation has ranged from a low of 8,508 in 2004/05 to a high of 10,768 in 2005/06.
- ◆ There were 7 murders with a domestic motivation recorded during 2010/11, the same as the number recorded in 2009/10.
- ◆ The overall detection rate for crimes with a domestic abuse motivation in 2010/11 was 46.6%, 3.3 percentage points higher than in 2009/10.

Footnote:

1. Domestic violence figures do not include assault on police; however, they do include breaches of non-molestation orders which are counted as offences under the Home Office Counting Rules from 1 April 2005.

Hate Incidents and Crimes

- ◆ When compared with 2009/10 the number of homophobic incidents in 2010/11 increased by 36 (20.6%) and transphobic incidents rose by 8. By contrast, during the same period, sectarian incidents fell by 403 (-21.9%), racist incidents decreased by 196 (-18.9%), disability incidents by 20 (-34.5%) and faith/religion incidents fell by 2.
- ◆ At 1,437, this is the lowest level of sectarian motivated incidents recorded since the series began in 2005/06.
- ◆ Between 2009/10 and 2010/11 the number of crimes with a homophobic motivation increased by 25 (22.3%), transphobic crimes increased by 4 and faith/religion motivated crimes increased by 2. However, the number of crimes with a sectarian motivation fell by 269 (-21.3%), those with a racist motivation fell by 181 (-25.4%) and those with a disability motivation fell by 10.
- ◆ The number of racist motivated crimes recorded during 2010/11 is the lowest since the data series began in 2004/05, while the number of sectarian crimes has fallen below 1,000 for the first time since the data series began in 2005/06.

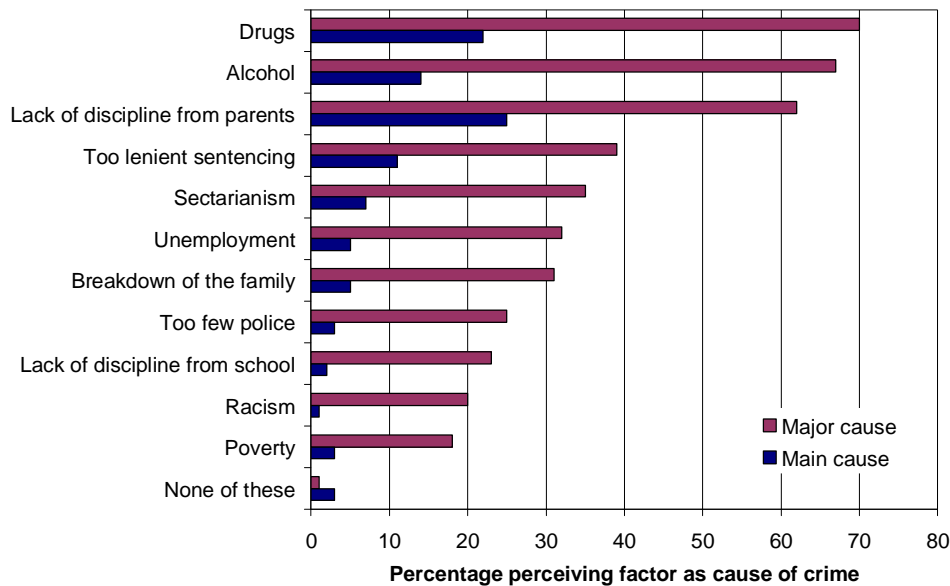
Source: Police Service of Northern Ireland.

Perceptions of Causes of Crime, Crime Levels and Anti-social behaviour

Causes of crime

- ◆ Findings from NICS 2009/10 show that drugs, alcohol and lack of discipline from parents (70%, 67% and 62% respectively) remain the three factors most commonly identified as major causes of crime in Northern Ireland today. When asked which single factor they considered to be the main cause of crime, a quarter of respondents cited 'lack of discipline from parents' (25%) while a further 22% cited 'drugs'. Alcohol (14%) and 'too lenient sentencing' (11%) were identified as the next most common causes of crime (Figure 3.4).

Figure 3.4: Perceptions of causes of crime (%) in Northern Ireland

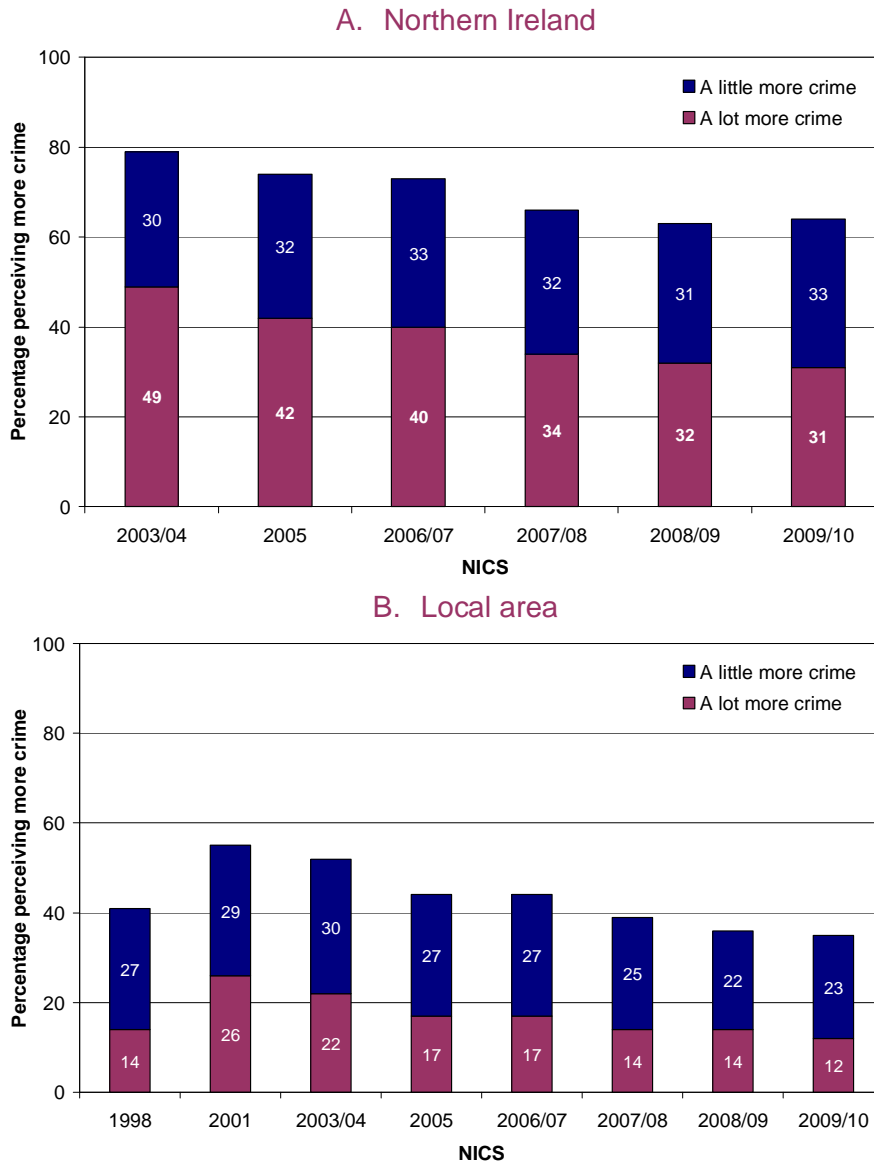


Perceptions of changes in crime levels

- ◆ NICS participants are also asked how they perceive the level of crime to have changed, if at all, in both Northern Ireland and their local area during the two years prior to interview, based on a five-point scale ranging from 'a lot more crime' to 'a lot less crime'. Typically, people are inclined to believe crime is on the increase, even when it is not, and that the situation is worse at the regional level than in their own area. Thus, it is the trend in this proportion, rather than the actual value, that is of primary interest.
- ◆ The proportions of NICS 2009/10 respondents believing that crime is on the increase, either locally (35%) or in Northern Ireland as a whole (64%), are among the lowest levels ever recorded by the survey, remaining unchanged ($p < 0.05$) since the previous year.
- ◆ Almost two-thirds (64%) of NICS 2009/10 respondents believed that crime levels across Northern Ireland had increased either 'a little' or 'a lot' in the preceding two years. While this is similar to that observed in 2007/08 (65%) and 2008/09 (64%), it is lower than the equivalent proportions recorded in 2006/07 (73%), 2005 (74%) and 2003/04 (79%).
- ◆ As in all sweeps of the survey to date, NICS 2009/10 respondents were more positive in their perceptions of crime levels within their local areas than at the regional level. Just over one-third (35%) of NICS 2009/10 respondents felt that crime had increased in their local area, with just over a tenth (12%) of all respondents believing there was 'a lot more crime'.

- ◆ When NICS 2009/10 and BCS 2009/10 (Flatley et al., 2010) findings are compared it appears that while adults in Northern Ireland are more likely than their counterparts in England and Wales to have perceived an increase in crime levels within the local area (35% v 31% respectively), views concerning the regional crime level are more closely aligned (64% v 66%).

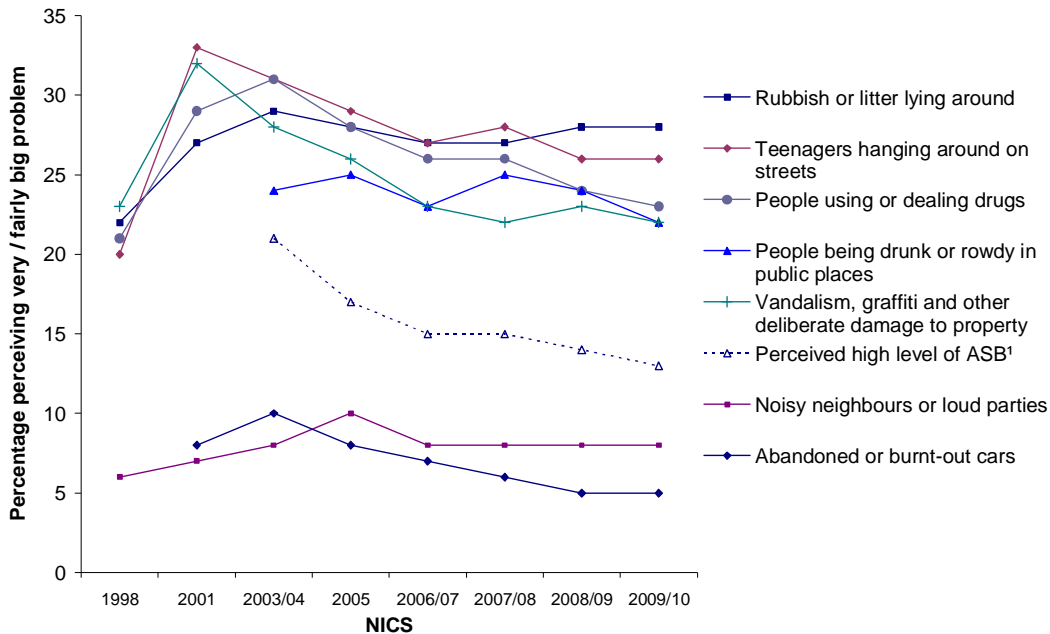
Figure 3.5: Perceptions of changing crime levels (%) in Northern Ireland and the local area



Perceptions of anti-social behaviour in Northern Ireland and England and Wales

- ◆ Based on this composite measure, findings from NICS 2009/10 show that 13% of people in Northern Ireland perceived the level of ASB in their local area to be high, similar to that recorded in 2008/09 (14%). The equivalent figure for England and Wales (BCS 2009/10) was 14%.
- ◆ The ASB types most likely to be perceived by NICS 2009/10 respondents as problems in the local area were ‘rubbish or litter lying around’ (28%) and ‘teenagers hanging around on streets’ (26%) whereas ‘abandoned or burnt-out cars’ (5%) and ‘noisy neighbours or loud parties’ (8%) were considered the least problematic forms of ASB. These results reflect the pattern in England and Wales, where the respective BCS 2009/10 rates were measured at 28%, 27%, 5% and 11% respectively (Figure 2.3).
- ◆ Across the seven strands that make up the overall ASB measure there were no statistically significant changes ($p < 0.05$) between the results of NICS 2008/09 and 2009/10.

Figure 3.6: Perceptions of ASB in the local area (%)



1. Derived from responses to the seven individual ASB strands.

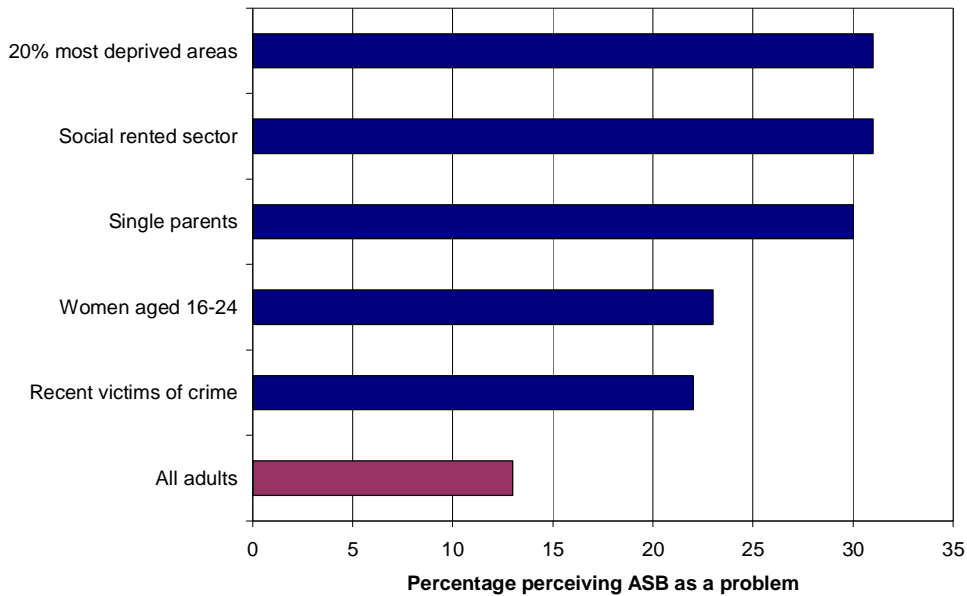
- ◆ When asked to select the type of ASB that caused the single biggest problem in the local area, the most common response, cited by almost a third (32%) of NICS 2009/10 participants, was ‘people being drunk or rowdy in public places’. This was followed by ‘teenagers hanging around on the streets’ (21%) and ‘rubbish or litter lying around’ (16%). At 1%, drug use or dealing was least likely to be considered the single biggest local problem.

Perceptions of anti-social behaviour by personal, household and area characteristics

- ◆ The proportion of people perceiving a high level of ASB in the local area tends to decrease with age, with around a fifth (21%) of 16-24 year-olds citing a high level of ASB in their area, compared with 4% of those aged 75+.
- ◆ Catholic respondents (18%) were twice as likely as Protestants (9%) to perceive ASB to be at a high level in their area. When consideration is given to the seven individual strands of ASB examined, this difference is greatest, in percentage point terms, with regard to people using or dealing drugs (30% v 18% respectively).
- ◆ Findings from NICS 2009/10 show that people living in the 20% most deprived areas of Northern Ireland were most likely to view ASB as a problem in their area (31%), contrasting with 6% of those in the least deprived areas, as measured by the Northern Ireland Multiple Deprivation Measure (MDM) rank.
- ◆ In addition, people living in social rented accommodation (31%) were twice as likely as those in private rented accommodation (15%) and over three times as likely as owner-occupiers (9%) to consider their local area to have a high level of ASB.
- ◆ A similar pattern was apparent in terms of household type where single parent families (30%) were twice as likely as households with two adults and children (15%), or no children at all (14%) to perceive a ASB to be at a high level in their area.

- ◆ On the whole, household income tends to be negatively correlated with the perceived level of ASB in the local area. While a fifth (19%) of households with an annual income of less than £10,000 considered ASB to be problematic, this proportion drops to 8% of households earning £50,000 or more.
- ◆ In summary, Figure 2.4 suggests that among those respondents most likely to perceive ASB as a problem in their area were:
 - people living in the 20% most deprived areas (31%);
 - adults living in social rented accommodation (31%);
 - single adults with children (30%);
 - women aged 16-24 (23%); and
 - recent victims of crimes that were reported to the police (22%).

Figure 3.7: Those most likely to perceive ASB as a problem (%) in the local area



Source: NICS 2009/10

Views on Organised Crime in Northern Ireland

- ◆ Northern Ireland Omnibus Surveys are conducted several times each year and are designed to provide a snapshot of the behaviour, lifestyle and views of a representative sample of people in Northern Ireland. A number of questions were asked in relation to organised crime in Northern Ireland in the January 2011 Omnibus Survey. The key findings of this survey follow.
- ◆ 19% of those surveyed suspected that someone in their own neighbourhood had obtained a large part of their wealth from crime.
- ◆ Irrespective of whether they suspected any specific family or individual, 40% of respondents believed that there were people living in their local community who had acquired a significant part of their wealth from crime.
- ◆ Of those surveyed, 97% thought there was a problem with organised crime in Northern Ireland; 48% of respondents considered this to be very serious.
- ◆ 71% of respondents believed individual victims suffered as a result of organised crime; 70% felt organised crime had an impact on the general public.¹
- ◆ Almost three-quarters (74%) of those taking part in the survey thought organised crime could lead to fear in the community.¹
- ◆ Respondents considered the police (92%), the government (59%) and the Serious Organised Crime Agency (55%) as having a role in tackling organised crime.¹
- ◆ 46% of those surveyed believed they had a role in tackling organised crime, 71% of whom felt their role was to refuse to purchase counterfeit or illicit goods.¹
- ◆ 66% of respondents were of the opinion that paramilitary organisations were mainly responsible for committing offences relating to organised crime.
- ◆ The types of crime most frequently associated with organised crime were drug dealing (79%); fuel smuggling/laundering (41%); and money laundering (35%).¹
- ◆ 38% of those surveyed had heard of the Organised Crime Task Force (OCTF), 71% of whom had heard through the television.¹
- ◆ Of those who had heard of the OCTF, 55% thought it was fairly or very effective in raising awareness about organised crime.

Footnote:

1. Respondents could offer more than one response.

Source: Department of Justice Statistics and Research Branch

Chapter 4

Support for Victims

Victim Support Northern Ireland

Compensation for Criminal Injuries

Compensation for Criminal Damage

Other Examples of Services for Victims of Crime

Victim Support Northern Ireland

- ◆ Victim Support Northern Ireland (VSNI) is an independent charity, which seeks to support individuals and their families to help them overcome the impact of crime, and rebuild their lives.
- ◆ VSNI provides three main services to victims of crime:
 - Community Service – practical help, information and emotional support following a crime;
 - Criminal Injuries Compensation Service – assistance for those making a claim; and
 - Witness Service – support for adult victims and prosecution witnesses.
- ◆ During 2009/10, the NIO, VSNI's principal source of funding provided a grant-in-aid of around £2.2 million. Over this period VSNI received 26,453 victim referrals, assisted 2,107 claimants for criminal injuries compensation and provided support for 7,109 victims and witnesses at court.

Source: DoJ Delivery Improvement Unit

Compensation for Criminal Injuries¹

- ◆ The Compensation Agency operates the Criminal Injuries Compensation Scheme (CICS). A new Tariff Scheme came into effect in Northern Ireland on 1 May 2002 and an amended Tariff Scheme came into effect on 1 April 2009.
- ◆ Victims may be entitled to claim compensation:
 - for a personal injury, whether mental or physical;
 - if a parent, child, husband, wife or partner has died as a result of a criminal injury;
 - for loss of earnings or earning capacity as a result of a criminal injury.
- ◆ Applications for compensation for criminal injuries increased by 0.5% to 5,331 in 2009/10, from 5,307 in 2008/09 (Figure 4.1). The number of awards made increased by 15%, from 1,596 to 1,833 over the same period.
- ◆ The average amount² of compensation received by victims of criminal injury in 2009/10 was £12,036, up from £11,394 the previous year (Figure 4.2).

Figure 4.1: Number of applications and awards made for criminal injuries¹; 1998/99 – 2009/10

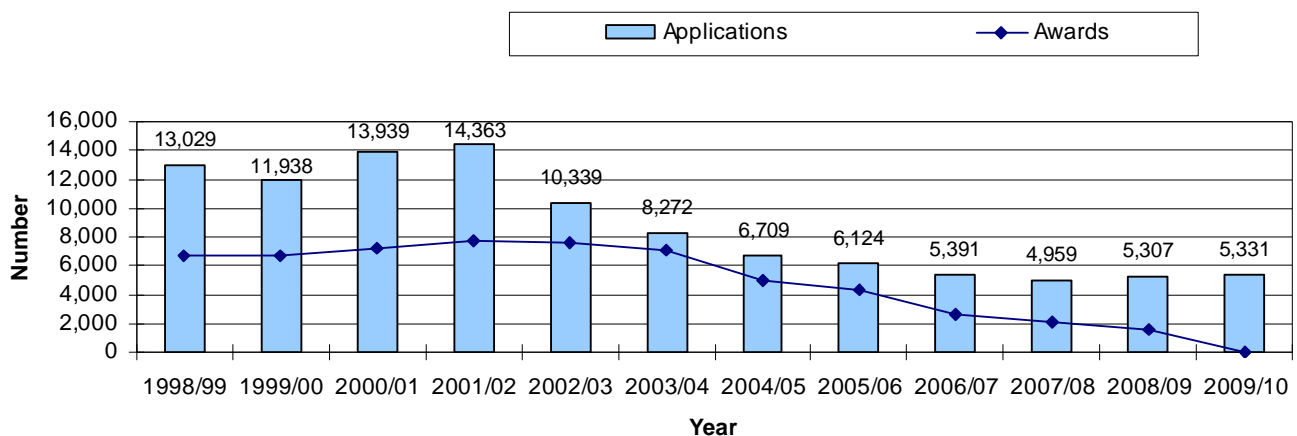
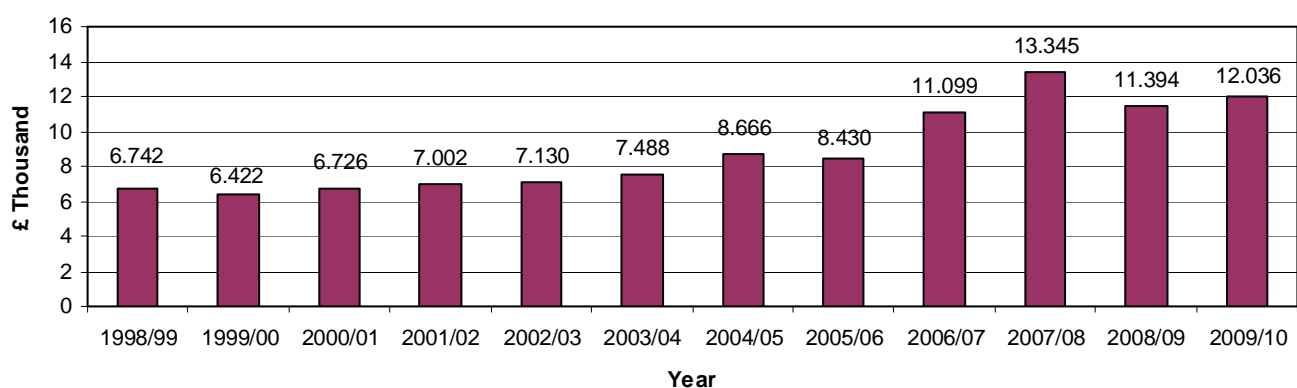


Figure 4.2: Average value of awards for criminal injury claims²; 1998/99 – 2009/10



Footnotes:

1. The figures for criminal injury compensation include data from both the new and old schemes.
2. The average value of awards reflects the total value of all payments made for claims that were finalised in each year. Some payments may have been processed in years preceding the year in which the claim was finalised.

Source: The Compensation Agency; www.compensationni.gov.uk

Compensation for Criminal Damage

- ◆ The Compensation Agency also operates the Criminal Damages Compensation Scheme whereby an individual may be entitled to claim compensation for loss suffered as a consequence of damage to property as a result of a criminal act in Northern Ireland.
- ◆ Applications for compensation for criminal damage increased by 7%, from 745 in 2008/09 to 798 in 2009/10 (Figure 4.3). The number of awards made decreased from 256 in 2008/09 to 212 in 2009/10, a decrease of 17%.
- ◆ The average value¹ of compensation received by victims of criminal damage fell from £32,143 in 2008/09 to £25,208 in 2009/10 (Figure 4.4).

Figure 4.3: Number of applications and awards made for criminal damage claims; 1997/98 – 2009/10

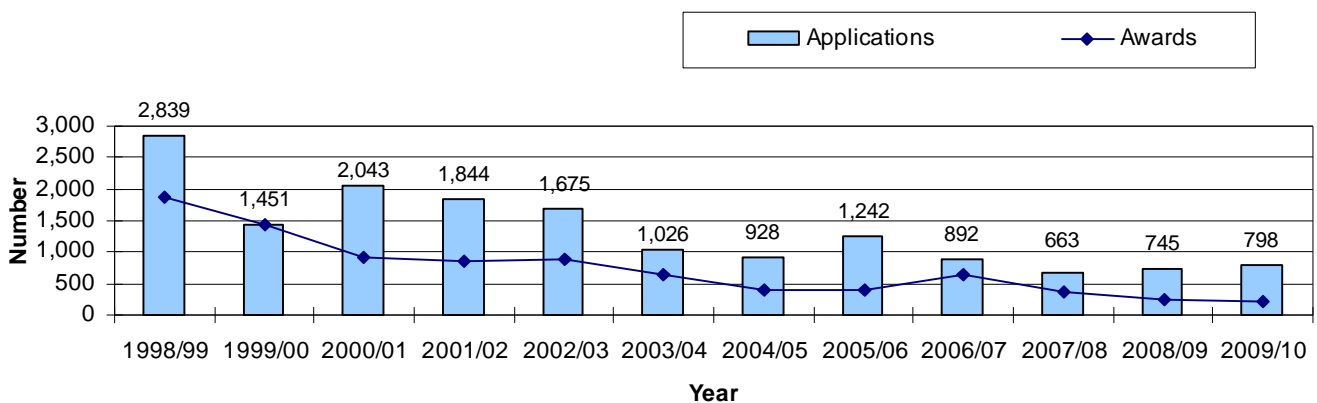
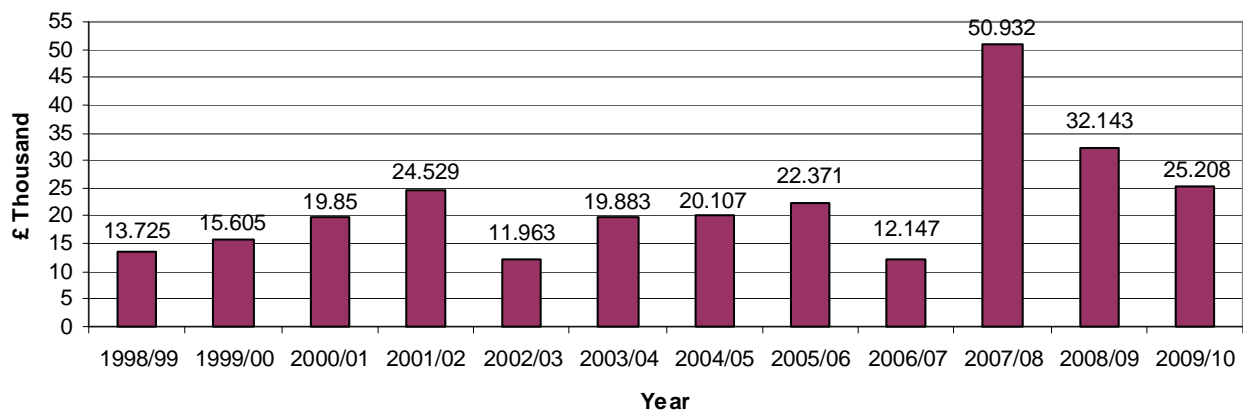


Figure 4.4: Average value of awards for criminal damage claims¹; 1997/98 – 2009/10



Footnote:

1. The average value of awards reflects the total value of all payments made for claims that were finalised in each year. Some payments may have been processed in years preceding the year in which the claim was finalised.

Source: The Compensation Agency; www.compensationni.gov.uk

Other Examples of Services for Victims of Crime

Court Witness Services

- ◆ In 2009/10 the NIO provided funding totalling around £833k to the VSNI Witness Service (adults) and the NSPCC Young Witness Service (YWS) (children) for the provision of support services to victims and prosecution witnesses attending court. The range of support includes pre-trial familiarisation visits to the court, a quiet, safe place to wait, information on the court process, accompaniment into the court room and emotional support. Both services have been available in all Crown Courts since 2003.
- ◆ Since August 2007 the VSNI Witness Service has been providing support services in all magistrates', youth and county courts. In 2009/10 the NSPCC YWS has been available to young witnesses attending Craigavon, Lisburn, Belfast, Londonderry and Antrim magistrates', youth and county courts. In 2009/10 7,453 people (including children) were supported at court by these services.

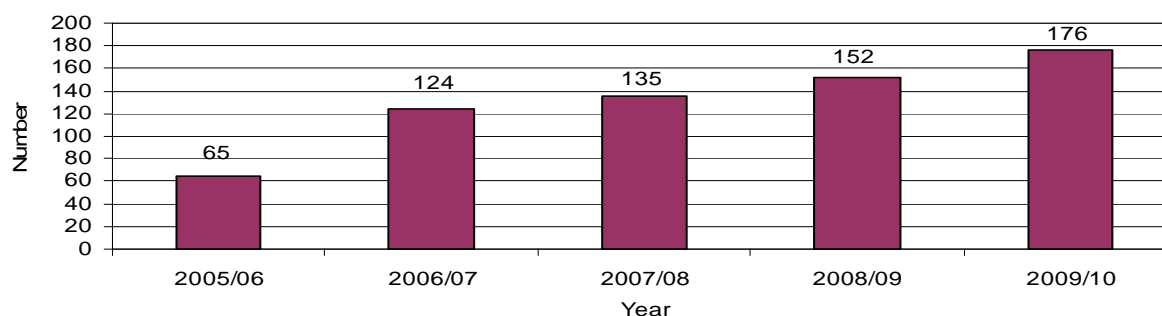
PBNI Victim Information Scheme

- ◆ The PBNI Victim Information Scheme (VIS) has been operational since October 2005 under the Criminal Justice (NI) Order 2005. The scheme is voluntary and can provide information to victims when their case results in a sentence which includes probation supervision.

The aims of the scheme are:-

- ◆ To empower victims of crime and contribute to community safety by providing relevant information about probation supervised sentences in a manner which is accessible, understandable, respectful and supportive.
- ◆ To work in partnership with other criminal justice agencies and victim organisations to provide an integrated service to victims when a probation supervised sentence is imposed.
- ◆ The scheme provides a service in writing, by telephone or in a face-to-face meeting. The sentence and the supervision process is explained. The victim also has the opportunity to discuss any concerns he/she has which may inform the offenders' risk management. Sign-posting to other victim support organisations is also provided.
- ◆ The majority of those who register with the scheme have been victims of sexual or other violent offences. During 2009/10 a total of 176 victims registered with the scheme. This represents a 16% increase on the 152 victims who registered during the previous year (Figure 4.5).

Figure 4.5: Number of victims who registered with the PBNI Victim Information Scheme, 2005/06¹ – 2009/10



Footnote:

1. The scheme was introduced in October 2005.

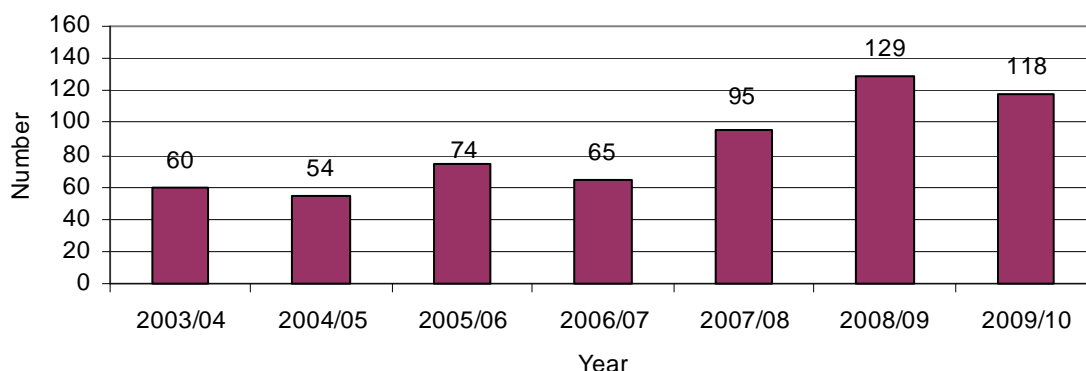
Sources: DoJ Delivery Improvement Unit; Probation Board for Northern Ireland

- ◆ In response to victim requests, the Probation Victims Unit also facilitates a range of restorative processes.
- ◆ Since November 2010, the Victims Unit has been involved in the preparation of victim reports in life sentence cases for the Parole Commissioners (PCNI). These reports provide victims' families with the opportunity to voice their attitudes and concerns regarding prisoners' risk at the three year pre-tariff stage.
- ◆ Victims can register with the scheme by telephoning 028 9032 1972 or by returning the application form forwarded to them by PSNI.

The Prisoner Release Victim Information Scheme

- ◆ The Northern Ireland Prison Service administers the Prison Release Victim Information Scheme which was introduced in July 2003. It applies to victims of adult offenders who have been given a sentence of 6 months or more.
- ◆ The main aim of the scheme is to provide victims, members of their family, carers or guardians with information on the final discharge and temporary release of prisoners. It also gives victims the opportunity to make written representations which will be taken into consideration when an offender applies for temporary release.
- ◆ This is a voluntary 'opt-in' scheme; victims will not receive any information if they have not registered.
- ◆ Victims can register to join the scheme by:-
 - completing the application form forwarded to them by the PSNI;
 - contacting the Victims Unit (0845 247 0002);
 - applying online at www.niprvis.gov.uk.
- ◆ A total of 118 victims registered with the scheme during 2009/10. This represents a 9% fall compared with the 129 victims who registered during 2008/09 (Figure 4.6).

Figure 4.6: Number of victims who registered with the Prisoner Release Victim Information Scheme; 2003/04¹ – 2009/10



Footnote: 1. The scheme was introduced in July 2003.

Source: Probation Board for Northern Ireland; Northern Ireland Prison Service

Domestic Violence Helpline

- ◆ The Domestic Violence Helpline is a 24 hour freephone helpline open to anyone affected by domestic violence. The service is available 365 days a year. It is jointly funded by DoJ (previously by NIO), DHSSPS and the Northern Ireland Housing Executive and is managed by Women's Aid Federation Northern Ireland.
- ◆ During 2009/10, the NIO provided funding totalling £95,000 for the provision and management of the service. The range of support offered includes a listening and signposting service and also access to emergency accommodation.
- ◆ In 2009/10, a total of 32,349 callers contacted the helpline, an increase of 17% on the 27,663 callers recorded for the previous year.
- ◆ Of the 29,402 answered calls in 2009/10, 15,686 (53%) were first time callers.

Source: DoJ Community Safety Unit

Chapter 5

Arrests and Cautions

Arrests under the Police and Criminal Evidence (NI) Order 1989

**Arrests under the Prevention of Terrorism (Temporary Provisions) Act, the
Northern Ireland (Emergency Provisions) Act, and the Terrorism Act 2000**

Cautions

Juvenile Cautions

Arrests under the Police and Criminal Evidence (NI) Order 1989

- ◆ Police powers in Northern Ireland are regulated by the Police and Criminal Evidence (NI) Order 1989 (PACE)¹ and the Code of Practice produced under the Order, often referred to as PACE regulations. These cover police powers such as stop and search, arrest, detention and some aspects of criminal evidence.
- ◆ In 2008/09, a total of 27,095 arrests were made under the Police and Criminal Evidence Order (PACE), only a small increase from the 2007/08 total of 26,611 (Figure 5.1).
- ◆ Of the 27,095 arrests made, 23,363 (86%) were of males; 20,857 (77%) were arrests for notifiable offences.
- ◆ The number of individuals arrested² under PACE Article 3 (the power to stop and search) increased from 1,401 in 2007/08 to 1,809 in 2008/09, an increase of 29%.
- ◆ In 2008/09, 37% (695) of PACE Article 3 arrests² were for drugs and 20% (376) were for stolen property (Figure 5.2).

Figure 5.1: Number of arrests under PACE; 1997/98 – 2008/09

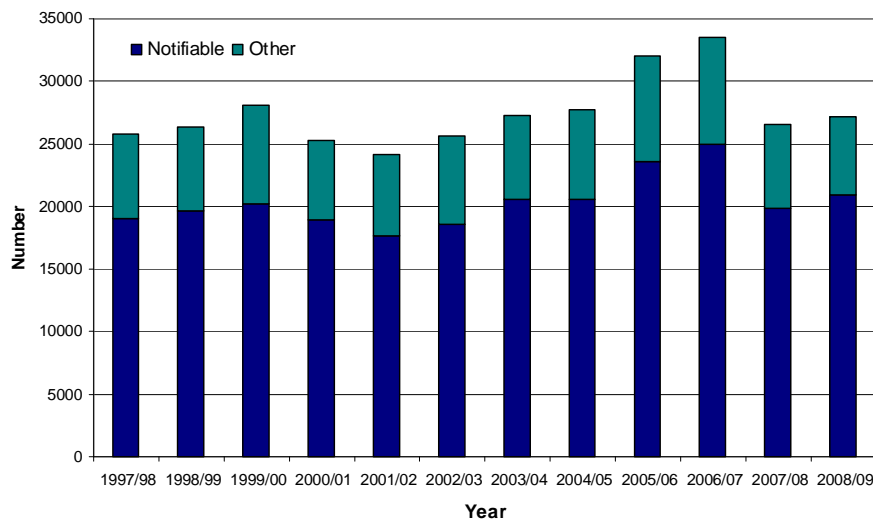
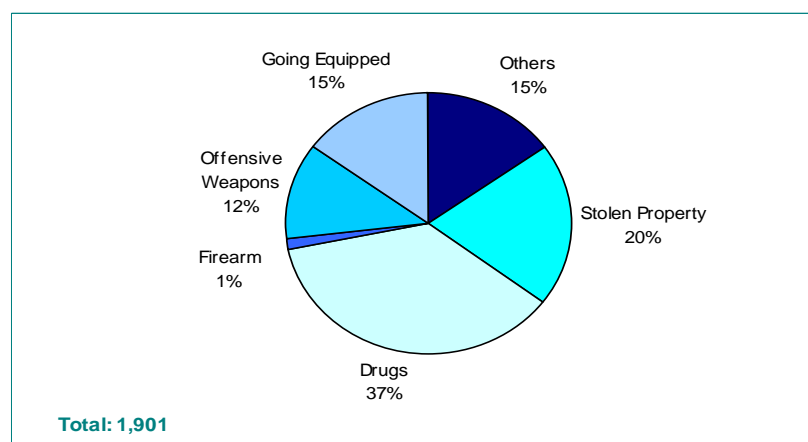


Figure 5.2: Reasons for arrests under PACE Article 3, Persons and vehicles searched - 2008/09



Footnote:

1. Powers to arrest also exist under other statutory provisions, most notably the Public Order (NI) Order 1987.
2. A person can be arrested for more than one reason.

Source: Reports of the Chief Constable: 1997/98 – 2008/09; PSNI Central Statistics Unit

Arrests under the Police and Criminal Evidence (NI) Order 1989 (continued)

- ◆ A total of 16,426 people detained in 2008/09 (61% of all arrests) asked for others to be informed of their arrest, 11,220 asked for a solicitor to be informed (Article 59) and 5,206 asked for a friend, relative or other person to be informed (Article 57) (Figure 5.3).
- ◆ In 2007/08, 18 requests for others to be informed were delayed by a police superintendent's authority under Articles 57(2) and 59(6) (Figure 5.4). No figures are available for 2008/09.

Figure 5.3: Number of requests made for others to be informed of arrest under PACE; 1997/98 – 2008/09

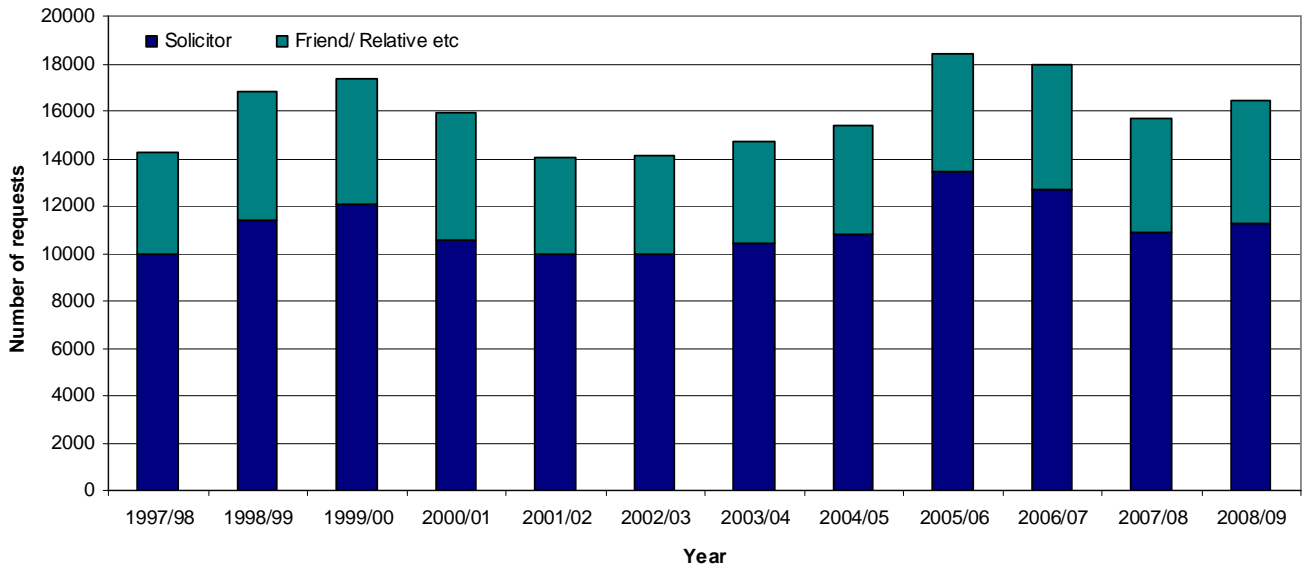
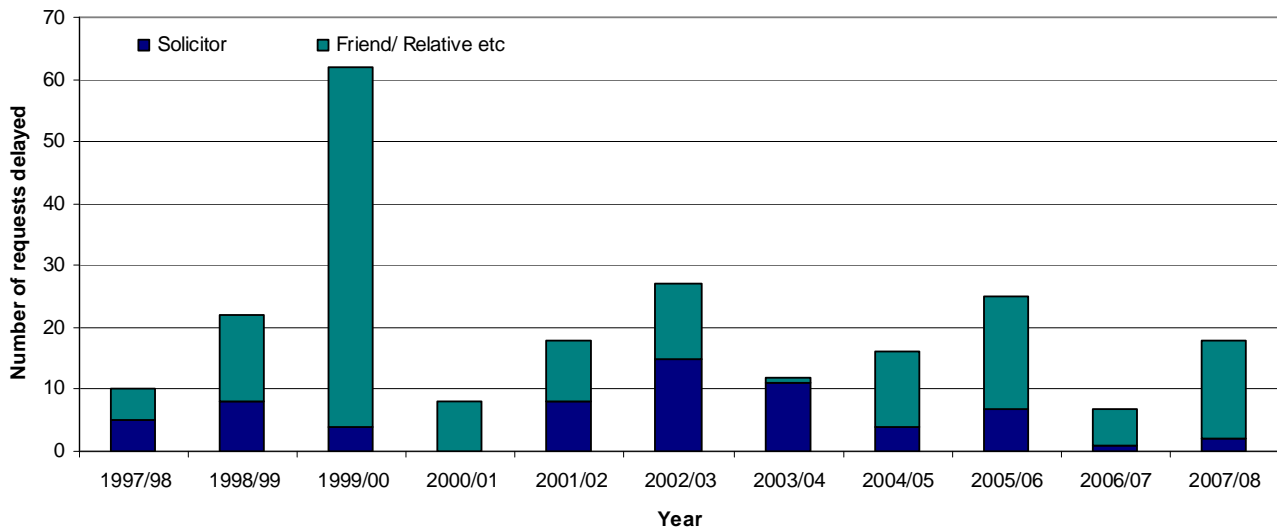


Figure 5.4: Number of requests made for others to be informed of arrest under PACE that were delayed; 1997/98 – 2007/08



Source: Reports of the Chief Constable 1997/98 – 2008/09

Arrests under the Police and Criminal Evidence (NI) Order 1989 (continued)

- ◆ In 2008/09, there were 80 persons kept in police detention for more than 24 hours and subsequently released without charge, compared with 13 in 2007/08 (Figure 5.5).
- ◆ Fourteen out of 17 individuals detained under warrants of further detention in 2007/08 (Figure 5.6) were subsequently charged. In 2006/07, 25 out of 37 such individuals were charged. Figures for 2008/09 are not available.

Figure 5.5: Number of persons kept in police detention for more than 24 hours and subsequently released without charge; 1997/98 – 2008/09

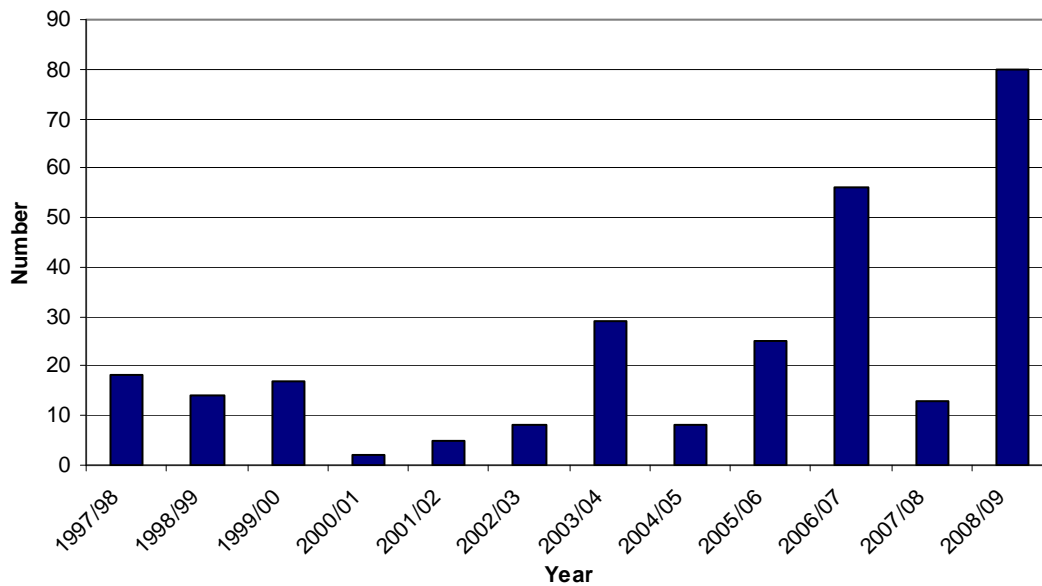
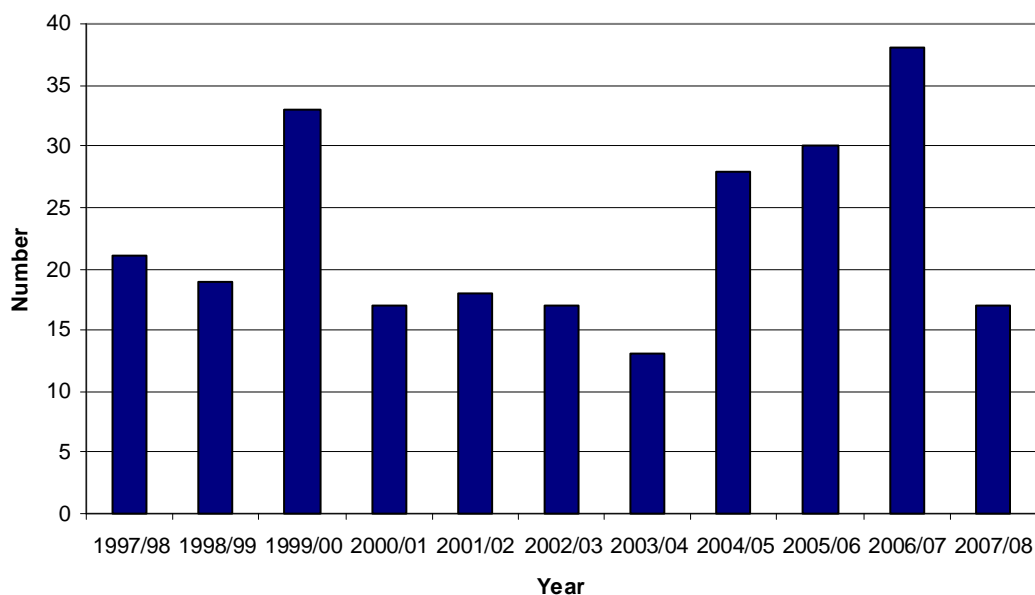


Figure 5.6: Arrest under PACE - Applications to magistrates for warrant of further detention (Article 44); 1997/98 – 2007/08

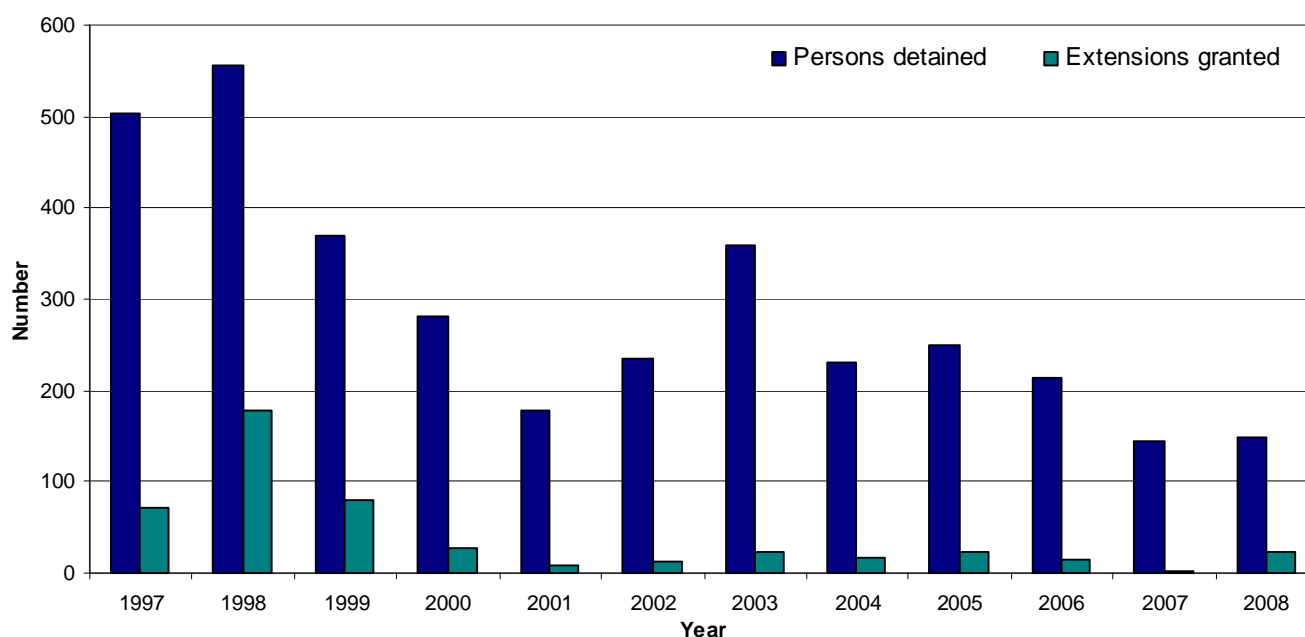


Source: Reports of the Chief Constable: 1997/98 - 2008/09

Arrests under the Prevention of Terrorism (Temporary Provisions) Act (PTA), the Northern Ireland (Emergency Provisions) Act (EPA) and the Terrorism Act 2000

- ◆ The Terrorism Act 2000 received Royal Assent on 20th July 2000 and came into force on 19th February 2001. It provided permanent UK-wide counter-terrorist legislation and reformed and replaced the EPA, PTA and sections one to four of the Criminal Justice (Terrorism and Conspiracy) Act 1998.
- ◆ The temporary provisions contained in Part VII of the Terrorism Act 2000 are required to combat terrorism in Northern Ireland. Subject previously to annual renewal they were due to lapse in February 2006. The Government introduced the Terrorism (Northern Ireland) Bill in October 2005, the main purpose of which was to extend those provisions of Part VII still in effect, until 31st July 2007. The provisions were repealed then as part of the security normalisation programme.
- ◆ The number of arrests under section 41 of the Terrorism Act 2000 rose from 179 in 2001 to 236 in 2002. A rise in 2003 to 359 was followed by a drop in the number of arrests to 230 in 2004. A further rise to 249 arrests in 2005 was followed by a decrease to 215 arrests in 2006 and a further decrease to 145 in 2007 followed by a slight rise to 150 in 2008 (Figure 5.7).
- ◆ In 2008, 24 applications for an extension to detention were granted, a rise from 2 in 2007.

Figure 5.7: Persons detained in Northern Ireland under the Prevention of Terrorism (Temporary Provisions) Acts (1993-18 February 2001) and the Terrorism Act 2000 (19 February 2001-2007)

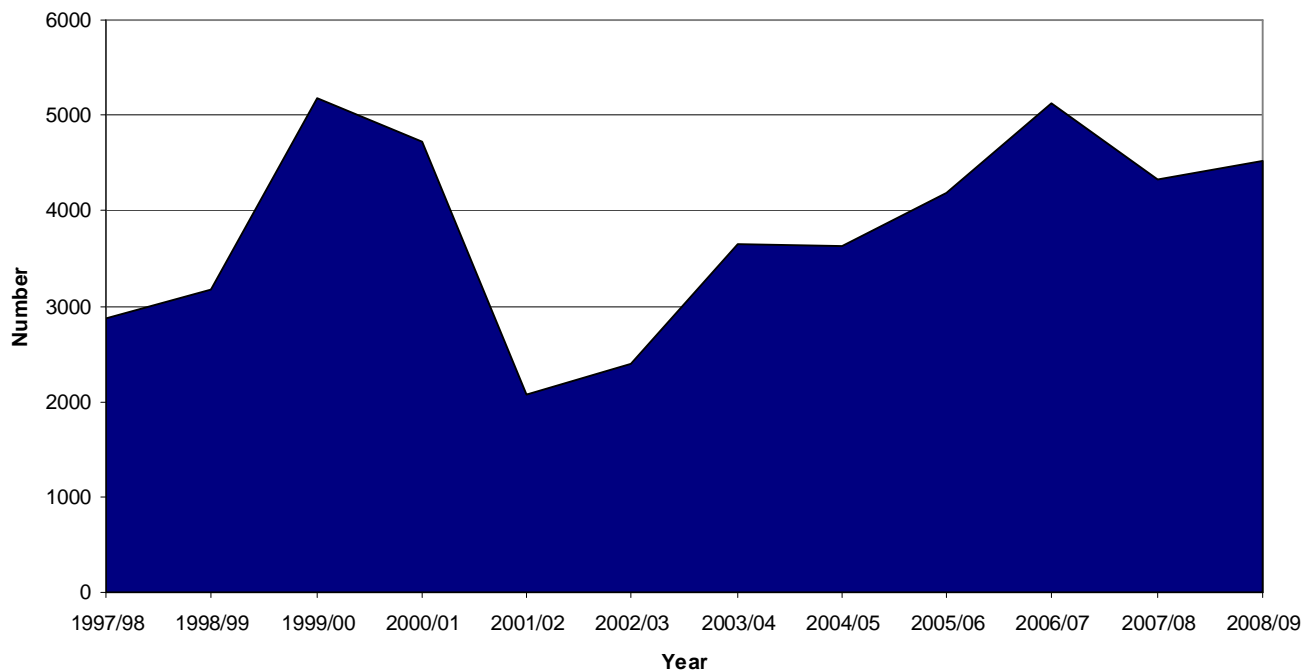


Source: 'Annual Statistics on the Operation of the Northern Ireland (Emergency Provisions) Act 1996 as Maintained by Schedule 1 to the Terrorism Act 2000' NIO Research and Statistical Bulletin 4/2001; 'Northern Ireland Statistics on the Operation of the Terrorism Act 2000: Annual Statistics 2008' NIO Research and Statistical Bulletin 10/2009

Cautions

- ◆ A caution may only be given if the offender admits committing the offence and agrees to be cautioned.
- ◆ In 2008/09, 4,517 notifiable offences were cleared by the use of a caution, a slight rise (4%) on 2007/08 (4,325) (Figure 5.8).

Figure 5.8: Notifiable offences cleared up by the use of a caution; 1997/98 – 2008/09¹



Footnote:

1. Includes juvenile advice and warning

Source: Reports of the Chief Constable 1993 – 2002/03; PSNI Statistical Reports 2003/04 to 2008/09

Juvenile Cautions

- ◆ Up until 31st August 2003, the police Juvenile Liaison Scheme dealt with juvenile offenders outside the formal criminal justice system. With effect from 1st September 2003, the police replaced the Juvenile Liaison Scheme with the Youth Diversion Scheme.
- ◆ In July 2007 PSNI's Community Safety Branch introduced a Youth Diversion database that was in a position to collate and extrapolate information pertaining to youth offending/anti-social behaviour in terms of perpetrators and those found to be victims of such behaviour. The database was further upgraded in July 2008, which allowed for more efficient methods of recording and reporting.
- ◆ Between 1st April 2008 and 31st March 2009 a total of 28,007 Youth Diversion Scheme referrals were recorded. Of these, 35% (9,717) were for offence behaviour and the remaining 18,290 (65%) were non-offence behaviour.
- ◆ In the same period the police carried out a total of 2,272 diversionary disposals¹ – 1,213 informed warnings and 1,059 restorative cautions.

Footnote:

1. The above represents police diversionary disposals only and excludes those cases resulting in Youth conferences, prosecution, no prosecution and those pending decision. Referrals also include those who have a victim/witness to a crime.

Source: Youth Diversion Database

Chapter 6

Prosecutions

The Public Prosecution Service for Northern Ireland

Youth Conferences

Prosecutions: All Courts

Prosecutions: Magistrates' Courts

Prosecutions: The Crown Court

Use of Bail

Criminal Justice Processing

Waiting Times

The Public Prosecution Service for Northern Ireland

- ◆ The Public Prosecution Service for Northern Ireland (PPS) was established in June 2005 by the commencement of the Justice (Northern Ireland) Act 2002. The Act defines the Public Prosecution Service, its statutory duties and commitments and the legislative framework within which it provides its services.
- ◆ The PPS is the principal prosecuting authority in Northern Ireland and is responsible for all criminal cases previously prosecuted by the former Department of the Director of Public Prosecutions (DPPNI) and the Police Service of Northern Ireland (PSNI). In addition to taking decisions as to prosecution in all cases initiated or investigated by the police in Northern Ireland, it also considers cases initiated or investigated by other statutory authorities, for example, HM Revenue and Customs.
- ◆ The PPS is headed by the Director of Public Prosecutions for Northern Ireland. The Director is appointed by, and discharges his functions, under the superintendence of the Attorney General for Northern Ireland.
- ◆ In addition to the PPS's primary role in reaching decisions as to prosecution and for the conduct of criminal proceedings, a range of other services is available. These include:
 - ◆ provision of prosecutorial and pre-charge advice to police;
 - ◆ review of all charges prior to submission to court;
 - ◆ an enhanced service to victims and witnesses;
 - ◆ production and issue of summonses; and
 - ◆ the conduct by PPS lawyers of all prosecutions in the magistrates', youth and county courts (Appeals).
- ◆ A range of diversionary options has also been developed for dealing with offenders other than through prosecution. These include restorative cautioning, informed warnings and youth conferencing.
- ◆ The PPS was implemented over a number of phases. Full implementation was achieved in October 2007. For further information, please refer to the PPS website at www.ppsni.gov.uk.
- ◆ The PPS is a regionally based organisation. There are four PPS regions (Belfast; Eastern; Northern; and Western and Southern) which are coterminous with one or more court divisions.
- ◆ Overall the PPS handles approximately 60,000 cases each year.

Youth Conferences

- ◆ Following establishment of the Youth Conference Service in December 2003, young people who admit their offence can be referred by the PPS for a pre-court diversionary conference. The PPS must be satisfied that the young person accepts responsibility for the offence and that he/she consents to attend the conference. Consent and responsibility are vital given that the practical implication is an agreement to forego the court process and the right to trial. Table 6.1 shows the number of diversionary and court ordered plans approved since April 2004.

Table 6.1: Number of diversionary and court ordered plans approved; 2004/05 – 2009/10

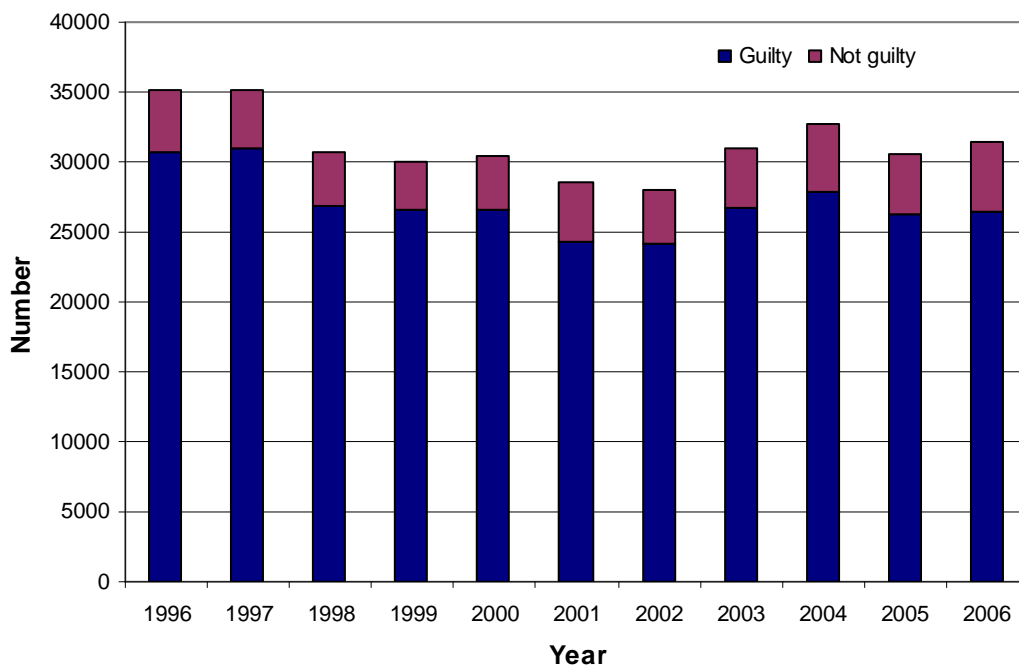
	Diversiory	Court	Total
2004/05	64	62	126
2005/06	92	214	306
2006/07	356	541	897
2007/08	586	764	1,350
2008/09	590	644	1,234
2009/10	807	696	1,503

Source: Youth Justice Agency

Prosecutions: All courts

- ◆ In 2006, 31,374 persons were proceeded against at the criminal courts in Northern Ireland, a 2% increase on 2005 (30,609).
- ◆ 84% (26,363) of all those proceeded against were found guilty (Figure 6.1).
- ◆ 87% (27,199) of all those prosecuted were male.
- ◆ Juveniles (10-17 year olds) accounted for 5% (1,643) of all those prosecuted.

Figure 6.1: Persons proceeded against at all courts by finding; 1996-2006¹



Footnote:

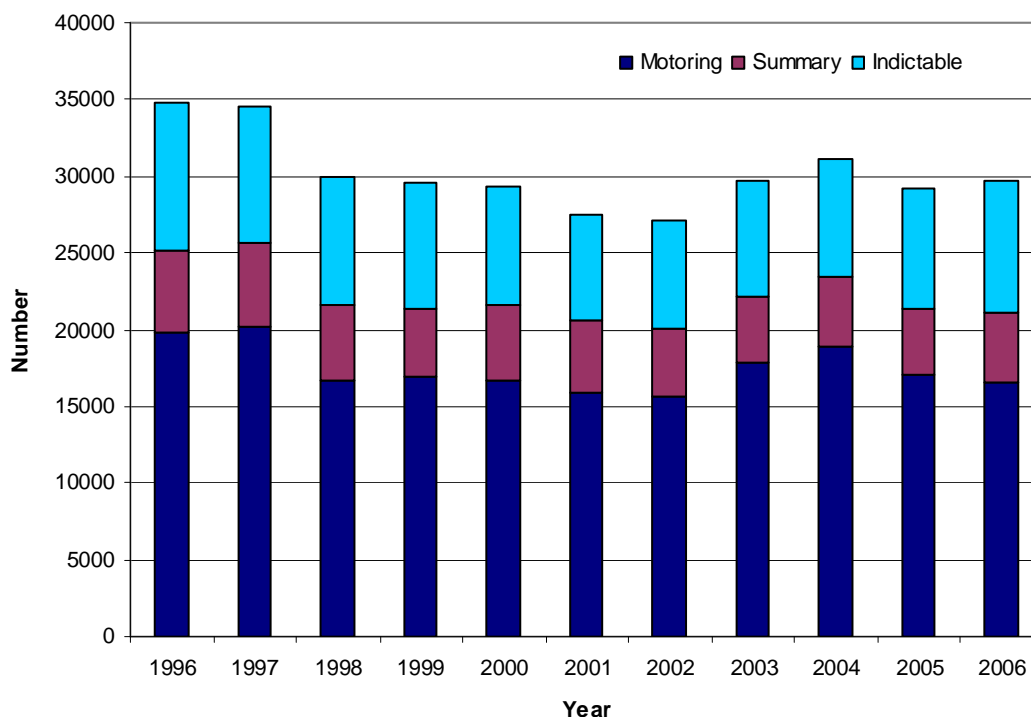
1. Excludes those committed for trial on bail or custody.

Source: Department of Justice Statistics and Research Branch

Prosecutions: Magistrates' courts

- ◆ In 2006, the number of defendants proceeded against at magistrates' courts was 29,749, an increase of 2% from 2005 (29,181).
- ◆ In 2006, 8,582 (29%) were prosecuted for indictable offences, 4,573 (15%) for summary offences and 16,594 (56%) for motoring offences (Figure 6.2).
- ◆ Of all those prosecuted at magistrates' courts in 2006, 25,028 (84%) were convicted.
- ◆ Motoring prosecutions were most likely to result in a conviction (14,959; 90%) followed by summary prosecutions (3,574; 78%) and indictable prosecutions (6,495; 76%).
- ◆ 86% (25,698) of all those proceeded against at magistrates' courts were male.
- ◆ Juveniles accounted for 5% (1,619) of all those proceeded against at magistrates' courts.

Figure 6.2: Persons proceeded against at magistrates' courts by offence category; 1996-2006



Source: Department of Justice Statistics and Research Branch

Prosecutions: The Crown Court

- ◆ 1,625 defendants were proceeded against at the Crown Court in 2006, 14% more than in 2005 (1,428).
- ◆ Out of those prosecuted in 2006, 82% (1,335) were found guilty (Figure 6.3).
- ◆ 92% (1,501) of those proceeded against at the Crown Court were male.
- ◆ Of all persons proceeded against at the Crown Court, 25% (403) were prosecuted for offences of violence against the person, while drug offences (170)¹ and sexual offences (163)¹ each accounted for 10% (Figure 6.4).

Figure 6.3: Persons proceeded against at the Crown Court by finding; 1996-2006

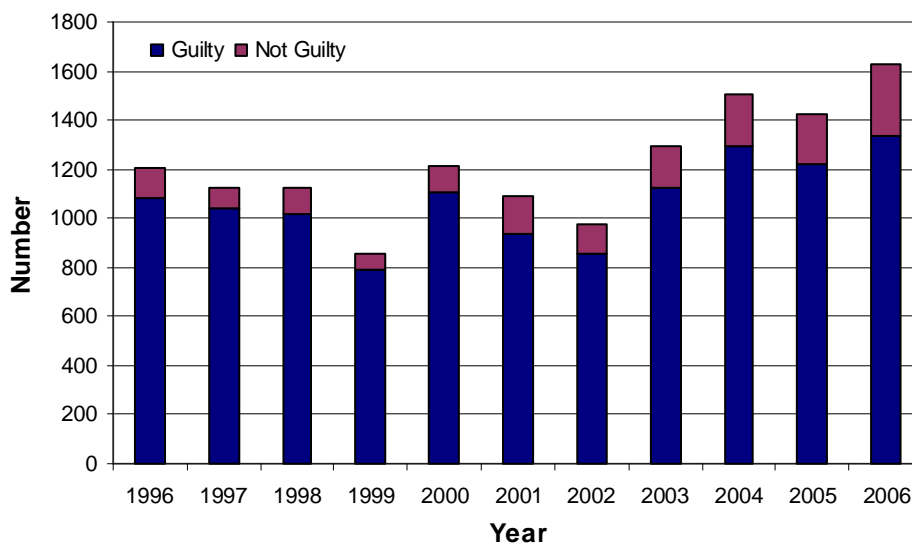
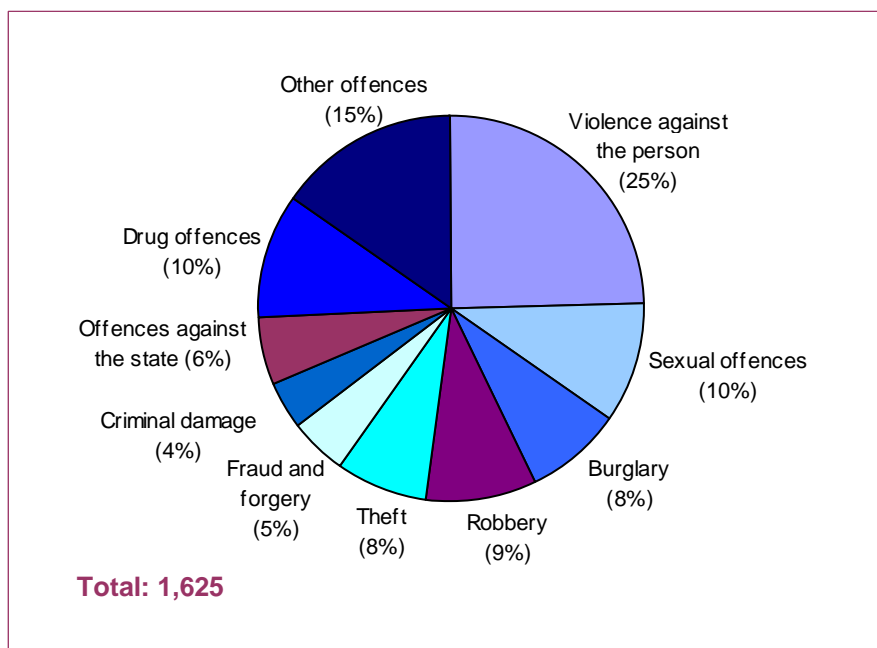


Figure 6.4: Persons proceeded against at the Crown Court by offence classification; 2006²



Footnotes:

1. Both figures account for 10% due to rounding.
2. Other offences include some summary and motoring offences.

Use of Bail

- ◆ There were 2,195 applications for bail in the High Court during 2009. Of the 1,656 applications disposed of in court, 47% (786) were granted, 46% (763) were refused and the remaining 6% (107) disposed of had other outcomes (adjourned, revoked, dismissed or withdrawn).

Criminal Justice Processing

- ◆ The Crown Court deals with all cases committed for trial by magistrates' courts. Cases for trial are heard before a judge and jury. There were a total of 1,556 defendants¹ disposed of in the Crown Court during 2009 compared with the 1,733 defendants disposed of in 2008.

Waiting Times

- ◆ In 2009 the average Crown Court waiting time between committal to start of trial was 118 days (approx. 17 weeks) and between conviction to disposal was 43 days².

Footnotes:

1. Includes defendants charged with non-police offences and a combination of charges.
2. Excludes defendants who had a bench warrant or deferred sentence.

Sources: Northern Ireland Judicial Statistics: 2008 and 2009

Chapter 7

Offenders

Convictions and Conviction Rates

All Offenders

Juvenile Offenders

Other Types of Offending: Fixed Penalty Notices

Other Types of Offending: Non-police Prosecutions

Re-offending Behaviour

Offender Programmes - The Probation Board for Northern Ireland:

Initiatives and Partnerships

Public Protection Arrangements, Northern Ireland

Voluntary Bodies Dealing with Offenders

Convictions and Conviction rates

- ◆ In 2006, 84% (26,363) of persons prosecuted were found guilty at all courts in Northern Ireland - 22,935 (87%) males and 3,428 (13%) females.
- ◆ The overall rate of conviction at all courts in 2006 was 174 per 10,000 population. The rate for males, 312 per 10,000 population, was considerably higher than that for females – 44 per 10,000 population.
- ◆ In 2006, the rate of conviction for males was highest for those aged 18-21 (929 per 10,000 population) whilst the rate for females was highest for those aged 25-29 (99 per 10,000 population). For both males and females, the rate thereafter declines steadily with age (Figure 7.1).

Figure 7.1: All courts' rate of conviction per 10,000 population by age and gender; 2006¹

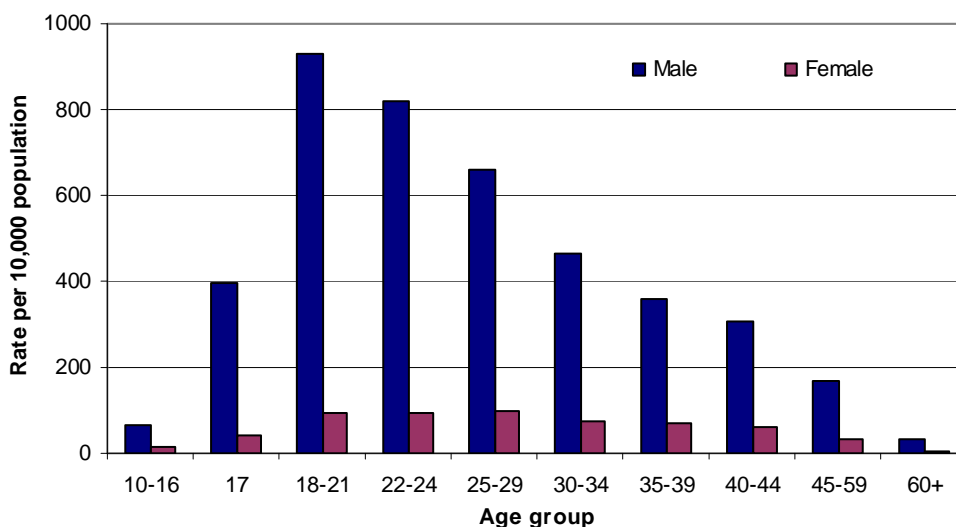
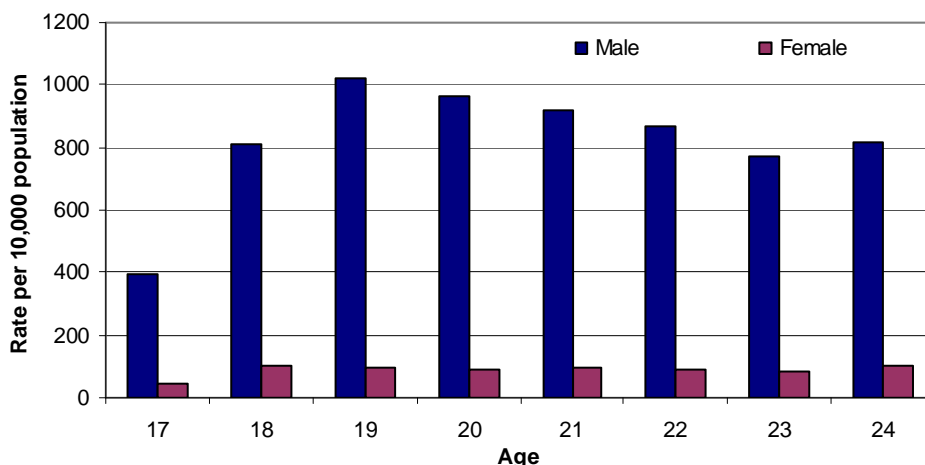


Figure 7.2: All courts' rate of conviction per 10,000 population for those aged 17-24 years by gender; 2006



Footnote:

1. Rates exclude those offenders for whom age information is not available.

Source: Department of Justice Statistics and Research Branch

All Offenders

- ◆ The number of persons convicted in 2006 (26,363) was similar to the previous year (26,255) (Figure 7.3).
- ◆ In 2006, 57% (15,083) of convictions were for motoring offences, 29% (7,635) for indictable offences and the remaining 14% (3,645) for summary offences.
- ◆ Indictable convictions were mainly for offences of violence against the person (2,296, 30%), theft (1,728, 23%) and criminal damage (1,295, 17%) (Figure 7.4).

Figure 7.3: Persons convicted of all offences at all courts; 1996-2006

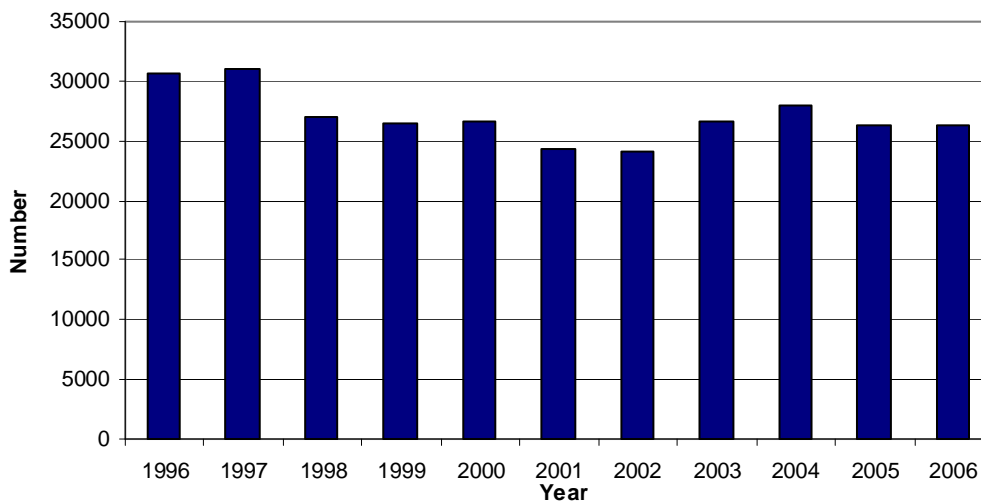
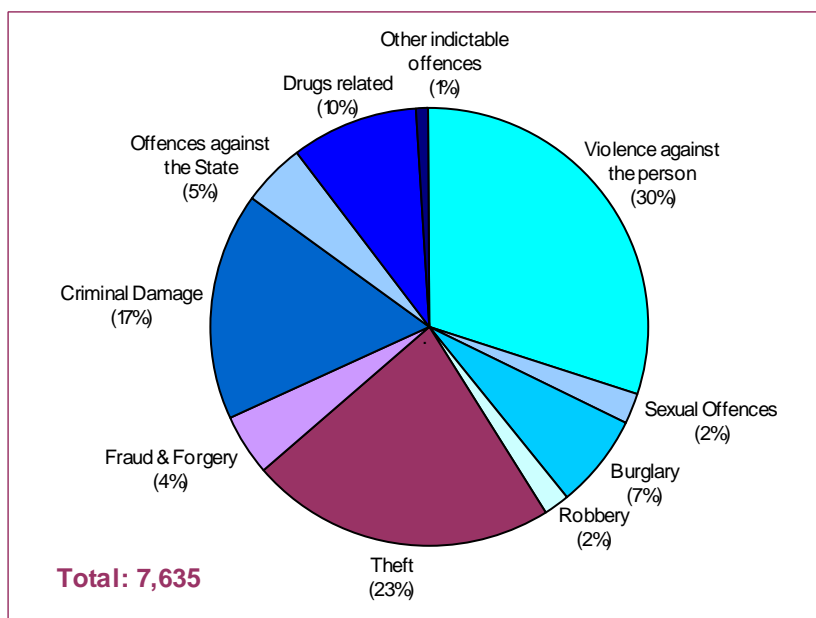


Figure 7.4: Persons convicted of indictable offences at all courts by offence classification; 2006



Source: Department of Justice Statistics and Research Branch

Juvenile Offenders

- ◆ In 2006, 1,273 juveniles (persons under the age of 18) were convicted at all courts, 785 (62%) for indictable offences, 258 (20%) for summary offences and 230 (18%) for motoring offences (Figure 7.5).
- ◆ 1,108 males (87%) were convicted in 2006 compared with 165 females (13%).
- ◆ Most indictable juvenile convictions in 2006 were for criminal damage (240, 31%), theft (202, 26%) and violence against the person (152, 19%) (Figure 7.6).

Figure 7.5: Juveniles convicted of all offences by offence category; 2006

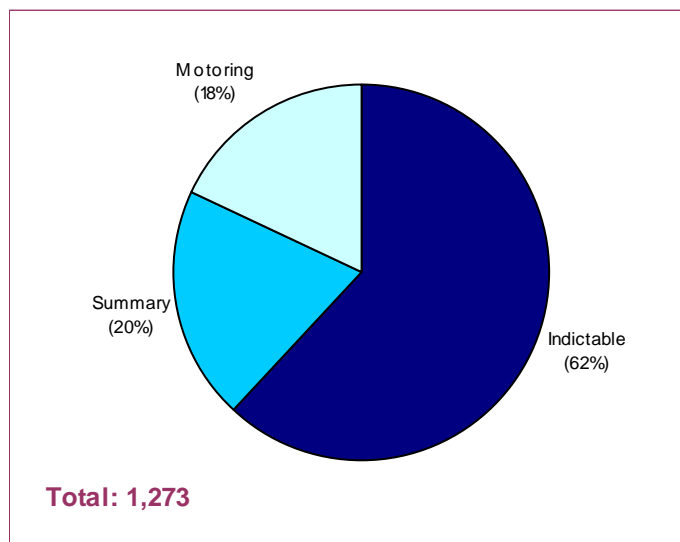
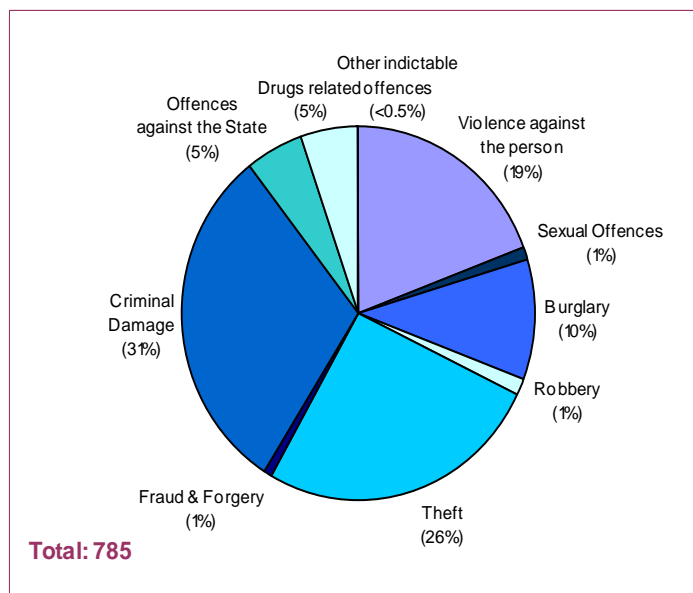


Figure 7.6: Juveniles convicted of indictable offences at all courts by offence classification; 2006

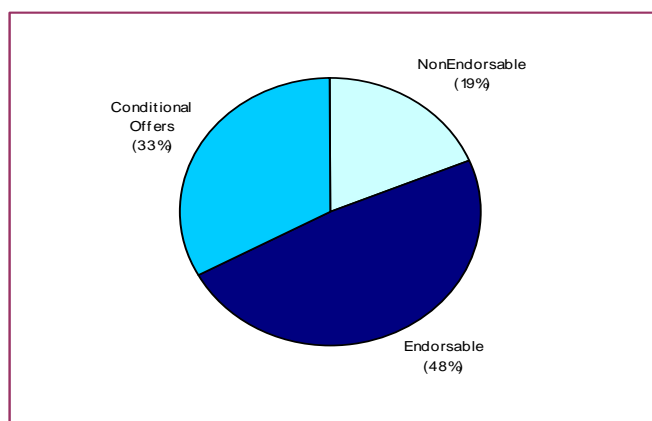


Source: Department of Justice Statistics and Research Branch

Other Types of Offending: Fixed Penalty Notices

- ◆ Until 30th September 1997 only non-endorsable fixed penalty notices were issued by police and traffic wardens. The Road Traffic Offenders (NI) Order 1996 introduced provision for police to issue endorsable fixed penalty notices and conditional offers which, in addition to a higher fine, involve penalty points being endorsed on the offender's driving licence.
- ◆ Essentially the fixed penalty system consists of the following three distinct processes:
- ◆ **Non-Endorsable Fixed Penalty Notices:** attracting a fine but no endorsement of the offender's driving licence. In 2007 a number of non-endorsable offences were changed to endorsable offences e.g. 'failing to wear a seat belt as a driver' and 'breach of temporary speed limit'.
- ◆ **Endorsable Fixed Penalty Notices:** attracts a £60 fine and in the majority of cases a minimum of 3 penalty points. If the offender accrues more than 11 penalty points within three years, he or she will be disqualified from driving for a minimum of six months.
- ◆ **Conditional Offer Scheme:** the 1996 Order allows offences to be investigated after their detection. Thus when an offence is recorded on camera, a 'notice of intended prosecution' will be forwarded to the vehicle owner, requiring them to identify the driver at the time of offence. The driver may then be sent a 'conditional offer'. The recipient has 28 days in which to discharge the appropriate £60 fine and have 3 points endorsed on his driving licence or to opt for a court hearing. Conditional Offers are issued by the Northern Ireland Safety Camera Scheme and in January 2009, the scheme appointed dedicated civilian camera operators rather than police, which lead to an increase in detections.
- ◆ The Traffic Management (NI) Order 2005 came into effect on the 30th October 2006. The effect of this legislation was to decriminalise the vast majority of parking and waiting offences in Northern Ireland. Accordingly, the responsibility for enforcement of these parking and waiting restriction offences transferred from the Police Service of Northern Ireland to DRD Roads Service. Roads Service subsequently appointed National Car Parks Ltd. to undertake responsibility for the enforcement of this legislation and for the management of the enforcement staff, now known as Traffic Attendants.
- ◆ The total number of fixed penalty notices issued by the police increased from 63,624 in 2008 to 72,483 in 2009. Almost half (48%) of these fixed penalty notices issued in 2009 were endorsable (34,928), 19% were non-endorsable (13,657) and 33% were under the conditional offer scheme (23,898).
- ◆ With regard to the introduction of Decriminalised Parking Enforcement in November 2006, the number of penalty charge notices issued by traffic attendants has fallen from 128,788 in 2007 to 111,672 in 2008 and again the subsequent year to 103,799 in 2009.

Figure 7.7: Fixed penalty notices issued by the police 2009



Source: Police Service of Northern Ireland

Other Types of Offending: Non-Police Prosecutions

- ◆ Court proceedings are also instituted by a range of government departments and agencies, some examples of which are given below. Offences are mostly of a regulatory nature and involve failure to comply with a range of fee-paying or licensing requirements. Payment of rates, and driver/vehicle licences are obvious examples.

In 2009/10:

- ◆ Driver and Vehicle Agency instituted 6,156 proceedings for the unlicensed using or keeping of a vehicle, with 1,947 convictions being obtained. A further 7,275 mitigated penalties were paid prior to court action.
- ◆ The Social Security Agency undertook 455 successful prosecutions for benefit fraud.

In 2009:

- ◆ Translink (NI Railways) undertook 206 successful prosecutions, up almost 28% from 161 in 2008.
- ◆ There were 180 prosecutions undertaken by DCAL¹ for violation of fisheries legislation. In addition the Loughs Agency, who have jurisdiction in the Londonderry and Newry areas, undertook another 62 cases in 2009. In 2008 the Fisheries Conservancy Board (NI) had 321 prosecutions.

In 2008/09:

- ◆ On 1st April 2008 Land and Property Services was formed. This new executive Agency, within the Department of Finance and Personnel, comprises the former Rate Collection Agency (RCA), Valuation and Lands Agency (VLA), Land Registers of Northern Ireland (LRN) and Ordnance Survey of Northern Ireland® (OSNI®). In 2008/09, 46,611 court processes and 15,019 decrees issued compared with 29,114 court processes and 9,132 decrees issued in 2007/08.

Footnote:

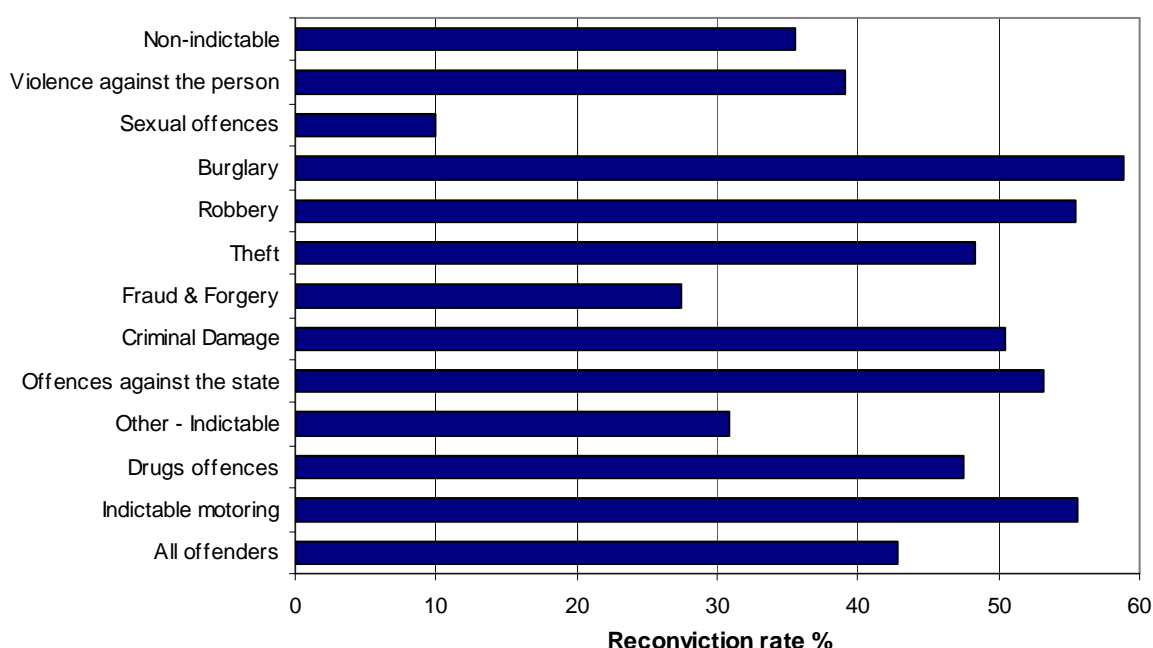
1. DCAL became responsible for this area on 1st June 2009 when the Fisheries Conservancy Board (NI) was officially transferred.

Sources: Land and Property Services; Driver and Vehicle Agency; Social Security Agency; Translink; DCAL; Loughs Agency

Reoffending Behaviour

- ◆ Reoffending has historically been measured by comparing the actual reconviction rate (used as a proxy measure for reoffending) against the predicted reconviction rate. The latest progress, based on the 2005 cohort, on this Public Service Agreement (PSA) was published in June 2008. The overall two year reconviction rate for the 2005 cohort of offenders (all adult and juvenile offenders) was 42.8%, and the predicted two year reconviction rate for the same cohort was 45.9%; this represents a reduction of 6.8%.
- ◆ The overall reconviction rate is a composite of two distinct groups of offenders, those offenders who commenced community supervision and those who were released from custody. Of the 1,435 offenders commencing community supervision, 38.4% (551) were reconvicted within two years; the predicted reconviction rate for this cohort was 43.0%, representing a reduction of 10.7%. Of the 892 offenders released from custody, 49.8% (444) were reconvicted within two years; the predicted reconviction rate for this cohort was 50.5%, representing a reduction of 1.4%.
- ◆ Figure 7.8 details the two year reconviction rates of offenders discharged from custody or given a community disposal during 2005 following different types of offences.

Figure 7.8: Two year reconviction rate by baseline offence type (2005 cohort)



Source: "Reconviction in Northern Ireland: Results from the 2005 cohort". NIO Research and Statistical Bulletin 8/2008

Offender Programmes - Probation Board for Northern Ireland: Initiatives and Partnerships

- ◆ The Probation Board for Northern Ireland (PBNI) is a non-departmental public body funded by the Northern Ireland Office. Its aim is to 'reduce crime and the harm it does by challenging and changing offender behaviour'.
- ◆ The Probation Board works with a broad spectrum of offenders, ranging from minor first time offenders, to prolific, serious violent/sexual offenders. At any time PBNI will be working with over 4,300 people who are subject to a range of court sentences. Annually the organisation writes approximately 6,000 pre-sentence reports. PBNI is responsible for the supervision of people subject to Combination Orders, Community Service Orders and Probation Orders. Additionally, Probation undertakes a significant role in risk assessment while offenders are in custody, and on release, supervises Juvenile Justice Centre Orders, Custody Probation Orders and people subject to licence requirements (licences transferred from other jurisdictions, Life Licences, and Sex Offender Licences). PBNI also has responsibility for supervising offenders subject to the new sentences created by the Criminal Justice Order (NI) 2008; Indeterminate Custodial Sentences, Extended Custodial Sentences and Determinate Sentences.
- ◆ PBNI supervises all offenders on the basis of agreed Northern Ireland standards. It is the role of the Probation Board to challenge offending behaviour, to hold offenders to account and to help them change their attitudes and behaviour by addressing issues in their lives that have contributed to their involvement in crime. The Probation Board works in partnership with other criminal justice agencies, government departments and the voluntary and community sectors. Independently and within these partnerships PBNI offers a range of programmes for adults and young people aimed at challenging and changing offender behaviour required to reduce the likelihood of re-offending.

Source: Probation Board for Northern Ireland

Public Protection Arrangements in Northern Ireland

- ◆ Public protection arrangements in Northern Ireland refer to the arrangements established for the risk management of sexual and violent offenders and certain potentially dangerous persons whose assessed risks require multi-agency input to the delivery of individual risk plans. The Public protection arrangements in Northern Ireland are not the responsibility of a statutory body but are a set of arrangements through which agencies can work together and share information, in discharging their statutory responsibilities, to protect the public in a co-ordinated manner.
- ◆ The arrangements comprise four core functions:
 - ◆ the identification of relevant sexual offenders, violent offenders and potentially dangerous persons;
 - ◆ the sharing of relevant information among core functions;
 - ◆ the assessment of risk; and
 - ◆ the management of risk.
- ◆ The Police Service of Northern Ireland (PSNI) has a statutory responsibility for public protection and has a key role in protecting the public from violent offenders, sex offenders and potentially dangerous persons (PDPs). A PDP is a person who has been interviewed by police for a sexual offence against a child or a serious sexual assault on an adult and who has been charged or is in the process of being prosecuted for that offence.
- ◆ Public protection arrangements in Northern Ireland are used to manage offenders and potentially dangerous persons who are assessed as having a Category 3 or Category 2 level of risk of serious harm.
- ◆ Persons who have been assessed as a Category 3 level of risk, are offenders who have a previous offending history (or current alleged offending in the case of potentially dangerous persons) and whose current behaviour and circumstances present compelling evidence that they are highly likely to cause serious harm through carrying out a contact sexual or violent offence.
- ◆ All Category 3 Offenders are risk managed by the co-located public protection team (PPT) that is based at Seapark, Carrickfergus. The PPT is staffed by Police Officers and Probation Officers.
- ◆ Persons who have been assessed as a Category 2 level of risk, are offenders who have a previous offending history (or current alleged offending in the case of potentially dangerous persons) and whose current behaviour and circumstances present clear and identifiable evidence that they could cause serious harm by carrying out a contact sexual or violent offence.
- ◆ Persons who have been assessed as a Category 1 level of risk, have a previous offending history (or current alleged offending in the case of potentially dangerous persons), but current behaviour and current circumstances present little evidence they will cause serious harm.
- ◆ The PSNI has established 8 Public Protection Units (PPUs), one in each police district, which have responsibility for the risk management of all Category 2 and Category 1 offenders.
- ◆ Each offender is assigned a designated risk manager (DRM), usually a police officer from the local district PPU or, in the case of Category 3 offenders, the co-located PPT. The DRM is responsible for co-ordinating all the elements of the offenders risk management plan and ensuring that it is delivered when and as agreed. Issues such as where an offender lives, who he is in contact with or associating with, treatment programs, training and employment etc. will all be addressed in the risk management plan.

Public Protection Arrangements in Northern Ireland (continued)

- ◆ Each Category 3 & Category 2 offender's case is periodically reviewed at a Local Area Public Protection Panel (LAPPP) meeting. This meeting is attended by representatives of the PSNI, PBNI and Social Services. At each LAPPP meeting the offender is risk assessed and a risk management plan is agreed for each offender; the DRM represents the PSNI at each LAPPP meeting and delivers a report to the panel detailing their contact with the offender, risk assessments completed and any other issues arising from the risk management plan.
- ◆ Category 3 Offenders are reviewed at a LAPPP meeting every 4 weeks and Category 2 offenders are reviewed at a LAPPP meeting every 12 weeks. Category 1 offenders are reviewed and managed independently by the PSNI PPUs.
- ◆ The Public Protection Arrangements NI Administration Unit based at Seapark, Carrickfergus is responsible for maintaining all records of Local Area Public Protection Panel (LAPPPs) meetings and ensuring all actions arising from the meetings are disseminated to the necessary agencies. Probation staff undertake the role of chairperson for these panels.
- ◆ PBNI assesses and then contributes to the management of risk posed by sexual and violent offenders in the community in order to help protect the public from harm and reduce re-offending. Probation officers supervise many offenders who are subject to public protection arrangements in Northern Ireland.
- ◆ PBNI staff work directly with offenders in their day-to-day management and supervision, alongside police and prison colleagues. PBNI also work with offenders while they serve their prison sentences and those who have been made subject to various legislative orders and licences.

Sources: Public Protection Arrangements in Northern Ireland; Probation Board for Northern Ireland; PSNI

Voluntary Bodies Dealing with Offenders

The Northern Ireland Association for the Care and Resettlement of Offenders (NIACRO)

- ◆ NIACRO (the Northern Ireland Association for the Care and Resettlement of Offenders) was established in 1971. It has over 100 staff, more than 200 volunteers and an annual turnover of £3.5 million.
- ◆ NIACRO's mission is: working to reduce crime and its impact on people and communities. Its vision statement is to be acknowledged as making a unique contribution to the development of a society in which the rights and needs of everyone, including offenders, are equally respected.

Areas of work include:

- ◆ **Working with communities:** NIACRO supports communities to develop strategies and plans to reduce crime and the fear of crime in their area. The strategies are based on inclusion, tolerance and partnership. Through the work in this area NIACRO contributes to the NIO's Community Safety Strategy.
- ◆ **Working with children and young people who offend:** NIACRO believes that child offending can be reduced by diverting children and young people to services which help them make positive changes in their lives. Projects in this area include mentoring and befriending for young people at risk of offending or reoffending, those leaving care, representation of young people in custody, and employability programmes.
- ◆ **Working with offenders and ex-prisoners:** Offenders and people leaving prison face many barriers to getting back into life in the community. The programmes NIACRO runs in this area help people develop a more stable lifestyle, including preparation for employment and training.
- ◆ **Prisoners, their families and children:** Imprisonment disrupts family life, and the children of prisoners are themselves more likely to offend. Strengthening and restoring positive relationships help prisoners get back into the community. NIACRO offers advice, advocacy and information on things like benefits, debt and housing, and deals with over 2,000 enquiries a year. NIACRO supports families by arranging transport to and from prisons, running visitor centres and supporting one-to-one visits between prisoners and their children.
- ◆ **Influencing policy makers and the general public:** NIACRO has unique experience in working as a non-governmental organisation within the criminal justice system. It puts that experience at the disposal of policy-makers through regular meetings with the heads of the main criminal justice organisations and by responding in detail to policy consultations. NIACRO also publishes a quarterly newsletter, NIACRO News.

EXTERN

- ◆ Extern is a charity, working with partners, providing high quality, innovative and community based services for people who have complex needs. Most of their clients are referred by the Northern Ireland Health and Social Services Trusts, the Probation Board for Northern Ireland and the Northern Ireland Housing Executive. In 2008/09 Extern received over £8.5 million from a range of government departments and agencies.

Examples of children's services include:

- ◆ **Family and Child Empowerment Services:** A multi-agency initiative aimed at providing intensive support to young people aged 8-13 years who have experienced difficulty within the education system and are at risk of developing anti-social behaviours and being received into the care system.
- ◆ **Independent Visitors Scheme:** Providing one-to-one support and to "assist, advise and befriend" children who are within the care system.
- ◆ **Intensive Support Fostering:** Providing an intensive support fostering placement to young people aged 12-18, who are at substantial risk of requiring secure accommodation.
- ◆ **Inside Out:** An intensive bail support project working with young people aged 10-17 years who would otherwise have been remanded in custody. This service is provided across Northern Ireland.

Voluntary Bodies Dealing with Offenders (continued)

- ◆ **Coaching:** This new service, funded by the Youth Justice Agency, will provide intensive support to young people referred by the Priority Offending Team.
- ◆ **Janus:** Intensive one-to-one support is provided to young people aged 13-17 years who are in the community or within the care system and whose behaviour is very challenging, posing a risk to themselves or to others (service concluded in March 2009).
- ◆ **Linden Services:** An holistic approach to working with children and young people with challenging behaviours and with their families, which includes a children's residential unit and intensive therapeutic work.
- ◆ **Multi-Systemic Therapy:** This service is provided to young people from the Linden unit and to those referred by Social Services in the Northern Health and Social Care Trust.
- ◆ **Linx:** A programme that provides intensive support for high risk young people, aged 13-17 years, and their families, by providing a tailored intensive service that will maintain the young person within the community.
- ◆ **Passport/Early Years:** Provides support in a group setting to children aged 8-12 years, who are at medium to high risk of reception into residential care or custody, or who are assessed as being a child in need.
- ◆ **Pathways:** An alternative education programme that works with up to 36 young people aged 15-16 years in North Belfast who are at risk of being excluded from mainstream education and who may also be at risk of offending, or entering into care custody.
- ◆ **Strength to Strength:** A community-based intervention provided to children aged 8-13, and their families, who are assessed as being 'in need' and where the children are vulnerable to offending and anti-social behaviour.
- ◆ **Summer Camp:** Provides a social, educational, cultural and recreational break to children aged 8-13 years who are socially excluded; live in an area of high deprivation, or are deemed a 'child in need'.
- ◆ **Time Out:** Offers an alternative to being placed in short-term care by providing a three or four day social, educational, cultural and recreational respite period to young people aged 8-17 years.
- ◆ **Youth Support:** Provides community-based alternatives to residential care or custody to young people aged 10-17 years through utilisation of community-based resources to deliver a tailored intervention appropriate to the assessed needs of each individual referred.

Adult Services include:

- ◆ **Innis Centre:** is a Probation approved facility and offers a service for adult offenders and provides in-house independent life skills, personal development for residents, and monitors support.
- ◆ **AXIS:** Provides supervision, monitoring services and vocational based training for medium to high risk offenders.
- ◆ **Circles of Support and Accountability:** Facilitates a holistic way of working with ex-offenders.
- ◆ **Floating Support:** Provides a service for male or female adults who have an offending background. The project aims to provide supervision and support for ex-offenders who present a wide range of problems and needs.
- ◆ **Multi-Disciplinary Homeless Support Team:** Provides support to the homeless with mental health problems including alcohol and drug dependency.
- ◆ **Ormeau Centre:** The centre offers accommodation for individuals with multi-complex needs who would otherwise be homeless.
- ◆ **Extern Re-Cycle:** This is a social economy which offers basic essential skills, work experience opportunities and qualifications in waste management for homeless individuals. The business recycles electronic waste and offers a full asset recovery service.

Sources: NIACRO; EXTERN

Chapter 8

Sentencing

The Sentencing Process in Northern Ireland

All Court Sentencing: Gender

All Court Sentencing: Adults and Juveniles

Magistrates' Courts Sentencing

Magistrates' Courts Sentencing: Immediate Custody by Sentence Length

Crown Court Sentencing

Crown Court Sentencing: Immediate Custody by Sentence Length

Disposals for Violent Offences at all Courts by Gender

Disposals for Acquisitive Offences at all Courts by Gender

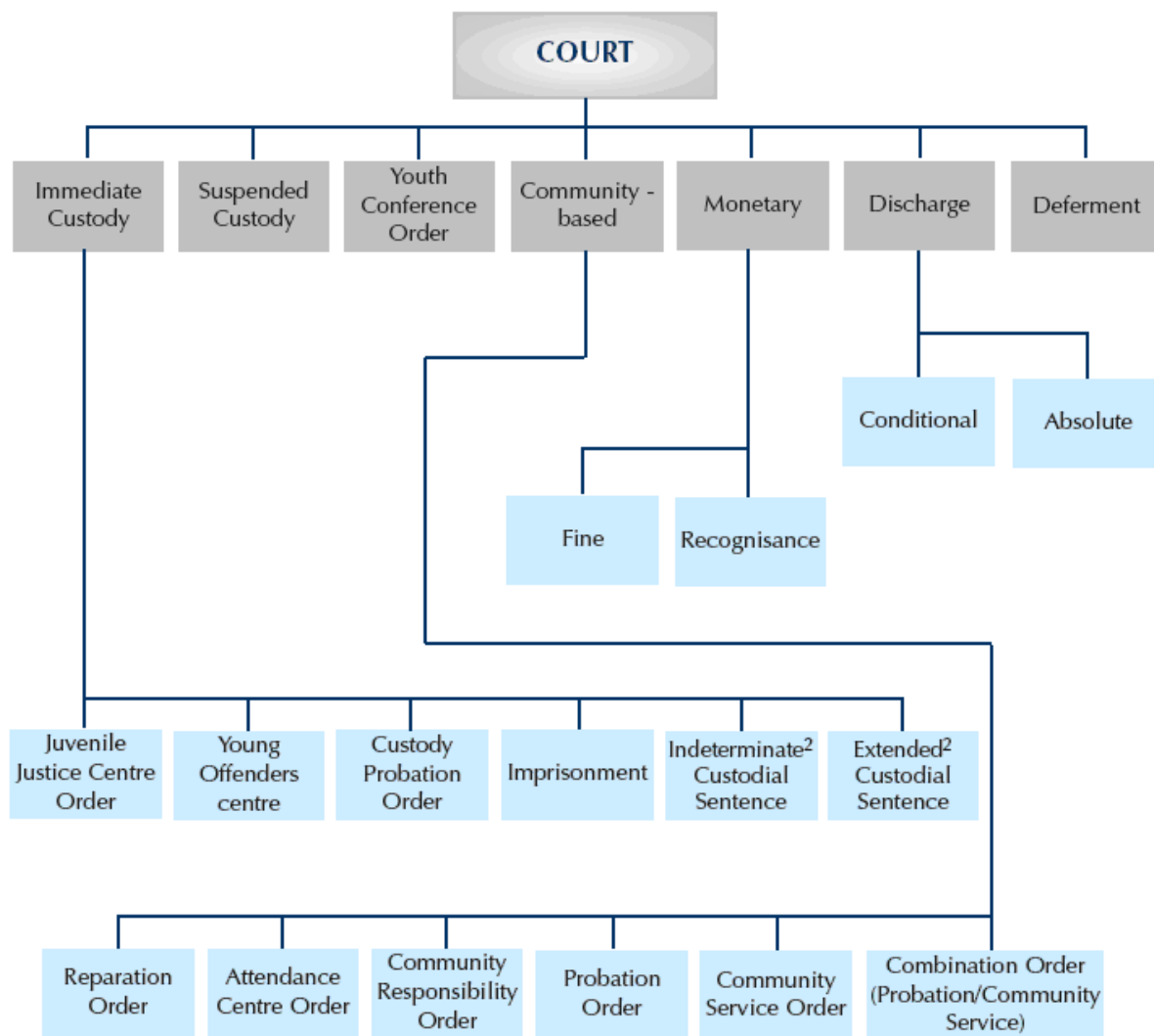
Disposals for Sexual Offences at all Courts

Disposals for Drug Offences at all Courts

The Sentencing Process in Northern Ireland

- ◆ Figure 8.1 below shows the current range of disposals available to the courts, including the two new types of disposal introduced on the 15th May 2008 (i.e. the indeterminate custodial sentence and the extended custodial sentence²). Further information on each of the disposals is provided in the Glossary.

Figure 8.1 Disposals available to the courts¹



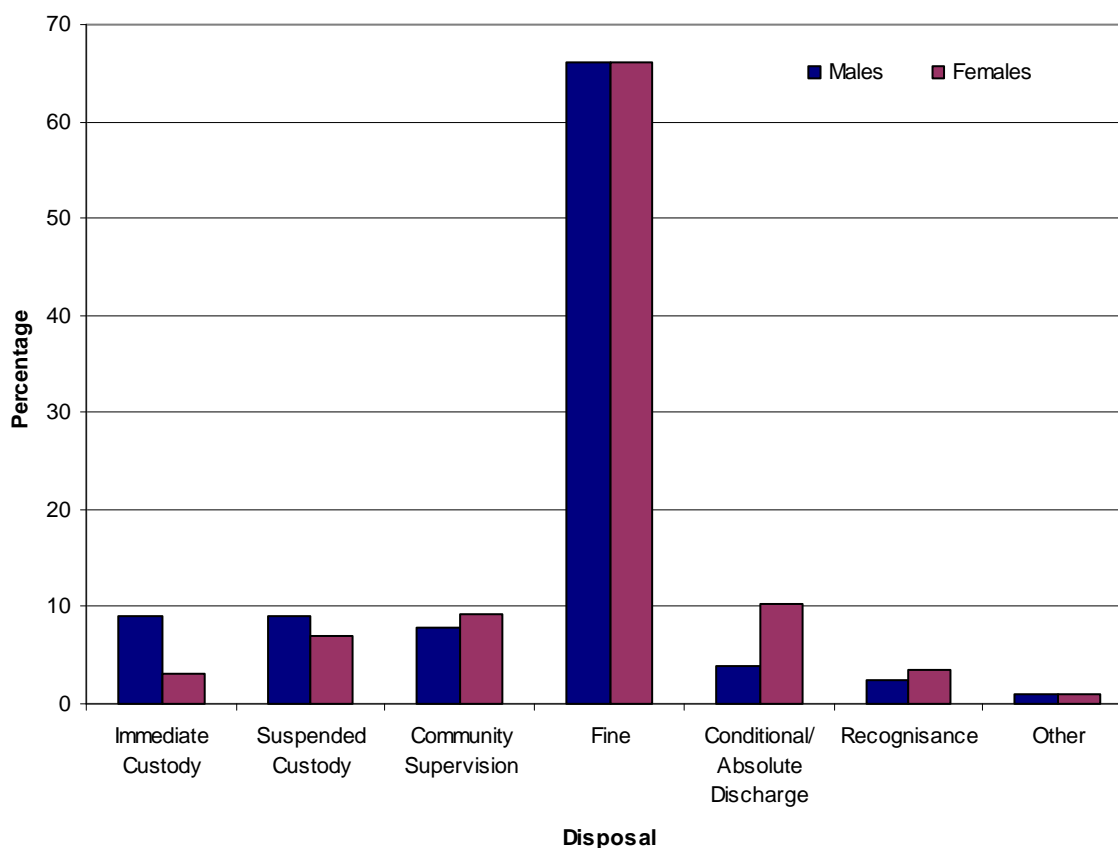
Footnotes:

1. Ancillary orders are not included; for certain particular offences other disposals are available, e.g. motoring disqualifications.
2. These disposals came into effect on 15th May 2008 under The Criminal Justice (Northern Ireland) Order 2008.

All Court Sentencing: Gender

- ◆ The fine is the most common disposal given in Northern Ireland. Out of 26,363 persons sentenced in 2006, 66% (17,362) were fined. Equal proportions of males and females (both 66%) were given a fine (Figure 8.2).
- ◆ In 2006, males (9%) were three times more likely than females (3%) to be given immediate custody (prison, young offenders centre, custody probation or juvenile justice centre).
- ◆ Similar proportions of males (9%) and females (7%) were given a suspended sentence.
- ◆ Community supervision sentences were given to 9% of females and 8% of males in 2006.
- ◆ In 2006, females (10%) were more than twice as likely as males (4%) to be given a discharge (conditional or absolute) whilst recognisance accounted for 4% of all female and 3% of all male disposals.

Figure 8.2: Disposals for all offences at all courts by gender; 2006

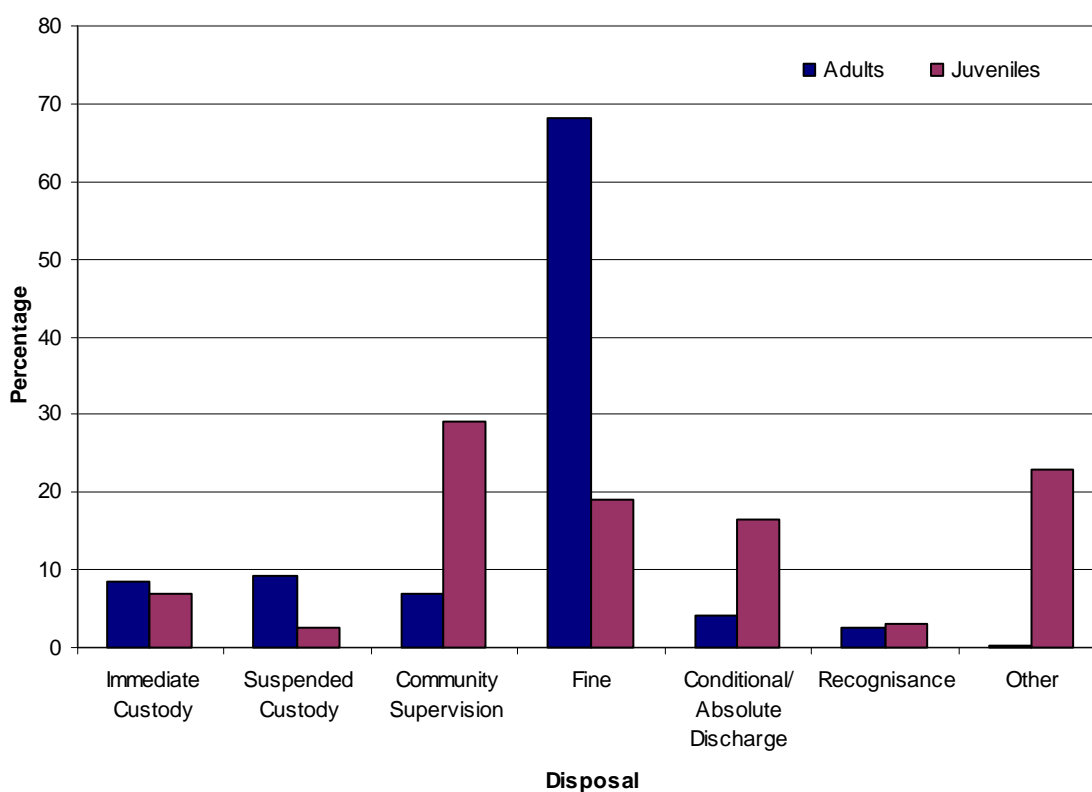


Source: Department of Justice Statistics and Research Branch

All Court Sentencing: Adults and Juveniles

- ◆ Five per cent (1,273) of the sentenced population in 2006 were juveniles (10-17 year olds).
- ◆ Similar proportions of adults and juveniles were sentenced to immediate custody (8% and 7% respectively).
- ◆ Adults (9%) were three times more likely than juveniles (3%) to be given a suspended custodial sentence (Figure 8.3).
- ◆ Juveniles (29%) were much more likely than adults (7%) to be given a community-based disposal, while adults (68%) were much more likely than juveniles (19%) to be given a fine.
- ◆ Sixteen per cent of juveniles received a conditional or absolute discharge in 2006, compared with 4% of adults. Equal proportions (both 3%) were given recognisance as a disposal.

Figure 8.3: Disposals for all offences at all courts – adults and juveniles¹; 2006



Footnote:

1. The percentages quoted above exclude the 0.2% of convicted offenders for whom age information is not available.

Source: Department of Justice Statistics and Research Branch

Magistrates' Courts Sentencing

- ◆ In 2006, 25,028 persons were sentenced at magistrates' courts – 21,702 (87%) males and 3,326 (13%) females.
- ◆ At the magistrates' courts, a fine was the most common disposal, given to 69% (17,311) of those sentenced. Similar proportions of males (69%) and females (67%) were given a fine (Figure 8.4).
- ◆ Thirty-five per cent of those convicted of indictable offences, 44% of those convicted of summary offences and 90% of those convicted of motoring offences were given a fine (Figure 8.5).

Figure 8.4: Magistrates' courts sentencing by gender; 2006

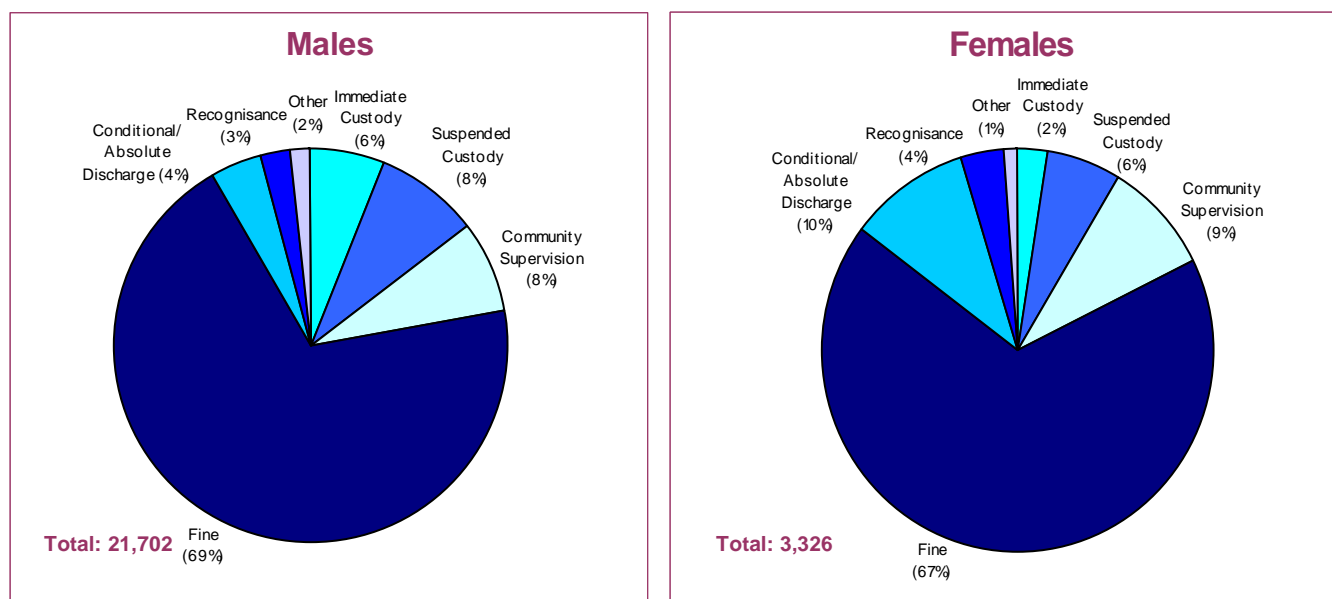
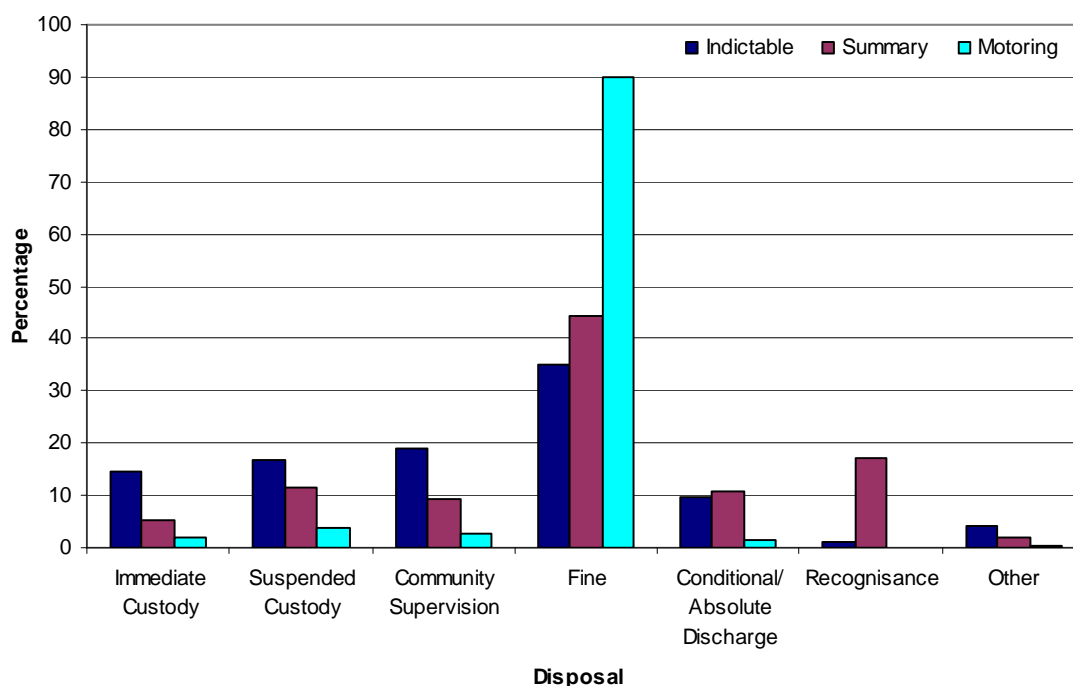


Figure 8.5: Magistrates' courts sentencing for indictable, summary and motoring offences; 2006

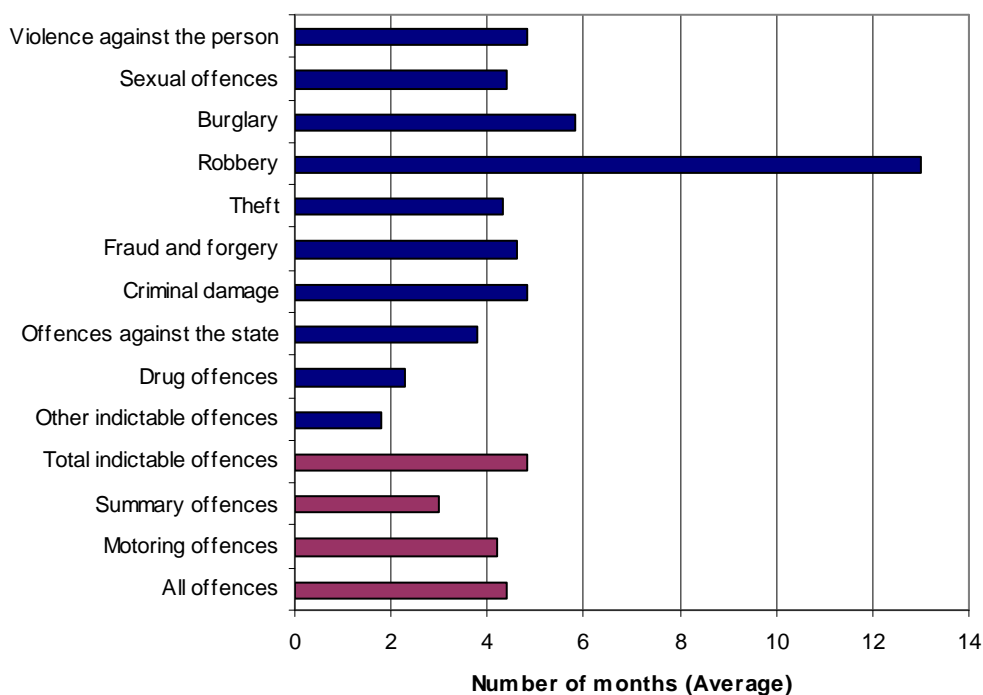


Source: Department of Justice Statistics and Research Branch

Magistrates' Courts Sentencing: Immediate Custody by Sentence Length

- ◆ In 2006, the average sentence for those found guilty of any offence at magistrates' courts and sentenced to immediate custody was 4 months; for those found guilty of indictable offences only, the average sentence was 5 months (Figure 8.6).
- ◆ At the magistrates' courts, robbery attracted the longest immediate custodial sentence of on average 13 months, whilst those found guilty of 'other' indictable offences were on average given the shortest period of immediate custody (2 months).
- ◆ Those found guilty of motoring offences and sentenced to immediate custody received on average 4 months, while 3 months was given on average for summary offences.

Figure 8.6: Average sentence length for those given immediate custody at magistrates' courts; 2006

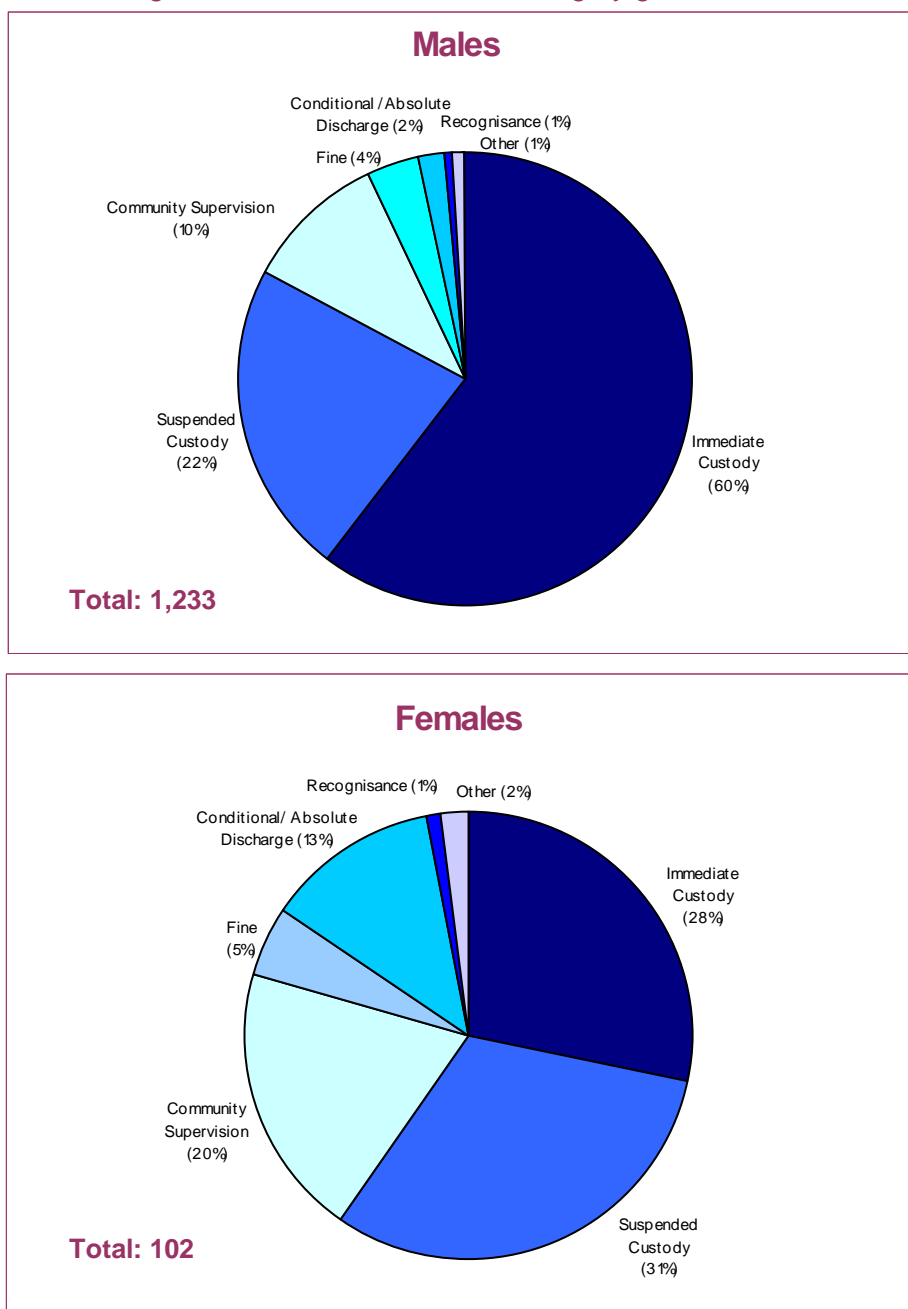


Source: Department of Justice Statistics and Research Branch

Crown Court Sentencing

- ◆ In 2006, 1,335 persons were sentenced at the Crown Court – 1,233 (92%) males and 102 (8%) females.
- ◆ Of those found guilty at the Crown Court, 58% were sentenced to immediate custody (including life sentences), an increase of 4 percentage points on the proportion in 2005 (54%). Three-fifths of males (60%) were sentenced to immediate custody compared with just over a quarter of females (28%) (Figure 8.7).
- ◆ Twenty-three per cent (309) of those sentenced in 2006 were given suspended custody; females (31%) were more likely than males (22%) to receive such a disposal.
- ◆ Community-based disposals accounted for 11% (146) of all sentences at the Crown Court, with females (20%) twice as likely as males (10%) to receive this disposal.

Figure 8.7: Crown Court sentencing by gender; 2006

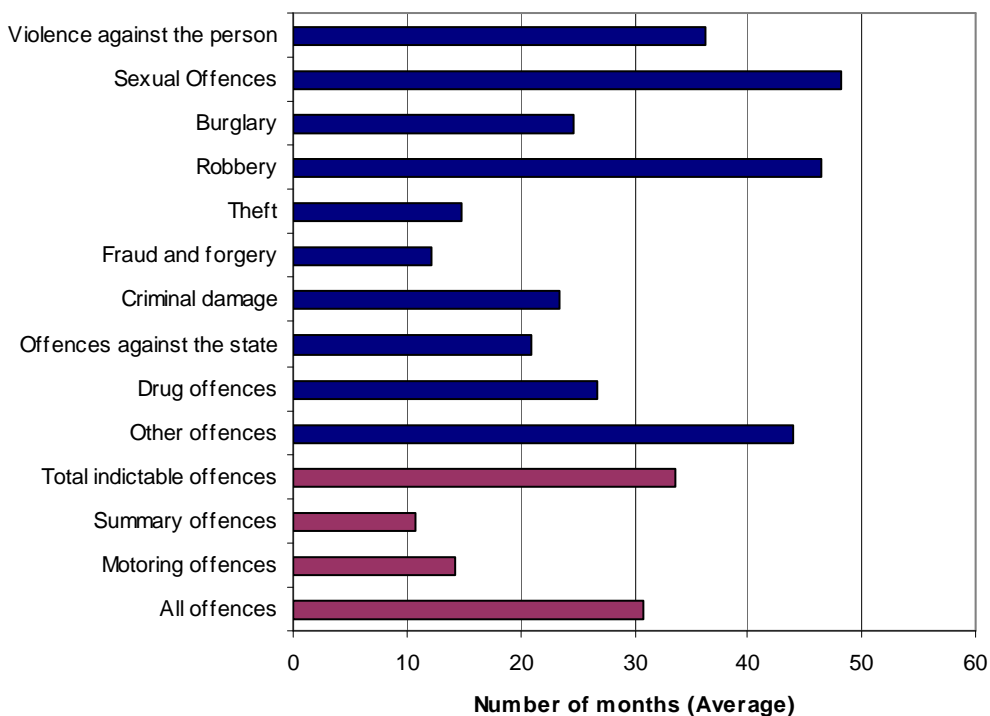


Source: Department of Justice Statistics and Research Branch

Crown Court Sentencing: Immediate Custody by Sentence Length

- ◆ In 2006, the average immediate custodial sentence length given at the Crown Court (excluding life sentences) was 31 months (Figure 8.8).
- ◆ When sentenced to immediate custody for indictable offences, those convicted of sexual offences (48 months) or robbery (46 months) were on average given the longest sentence. Those found guilty of fraud and forgery (12 months) were on average given the shortest terms of imprisonment.
- ◆ The average custodial sentence for those convicted of motoring offences was 14 months while the average for summary offences was 11 months.

Figure 8.8: Average sentence length for those given immediate custody at the Crown Court; 2006¹



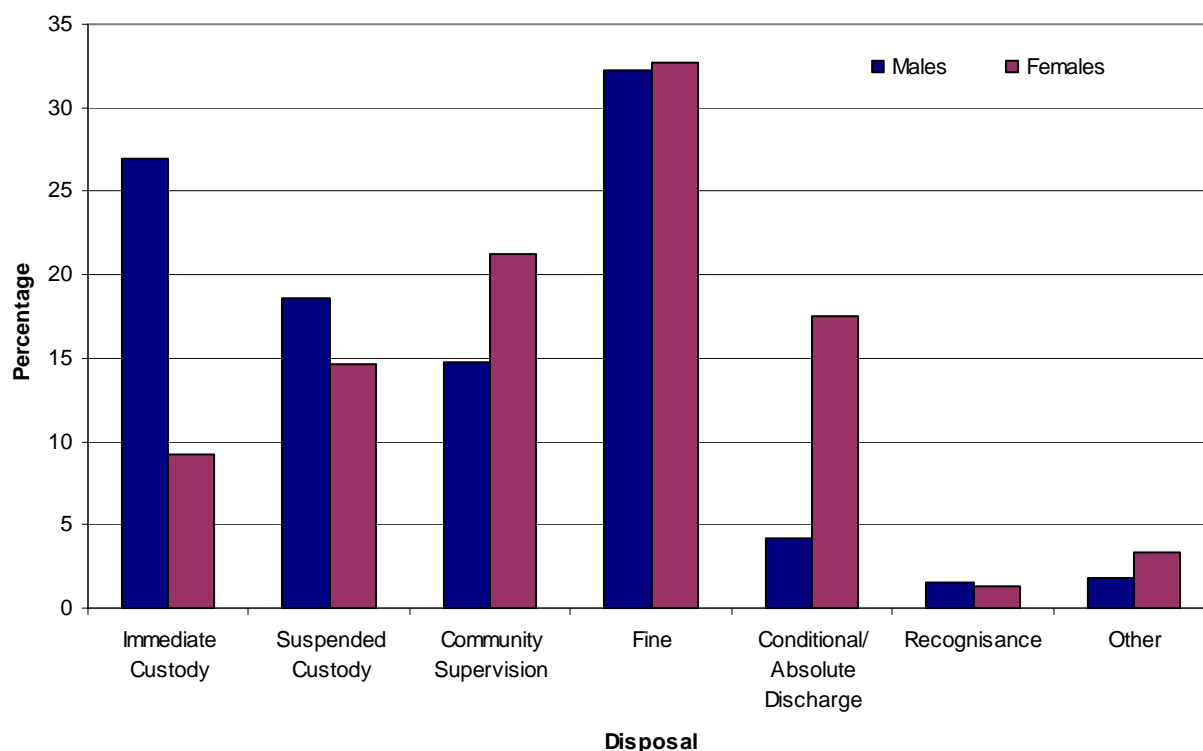
Footnote:
1. Excludes life sentences.

Source: Department of Justice Statistics and Research Branch

Disposals for Violent Offences at all Courts by Gender

- ◆ A total of 2,606 persons were sentenced for violent offences (violence against the person, sexual offences and robbery) in 2006, 10% of the total sentenced population for the year.
- ◆ Males found guilty of violent offences were more likely to be given immediate custody or suspended custody (27% and 19% respectively) than females (9% and 15% respectively) (Figure 8.9).
- ◆ Similar proportions of males (32%) and females (33%) were given a fine.
- ◆ Females found guilty of violent offences were more frequently given non-custodial disposals such as a discharge (conditional or absolute) (18% compared with 4% of males) or community supervision (21% compared with 15% of males).

Figure 8.9: Disposals for violent offences at all courts by gender; 2006

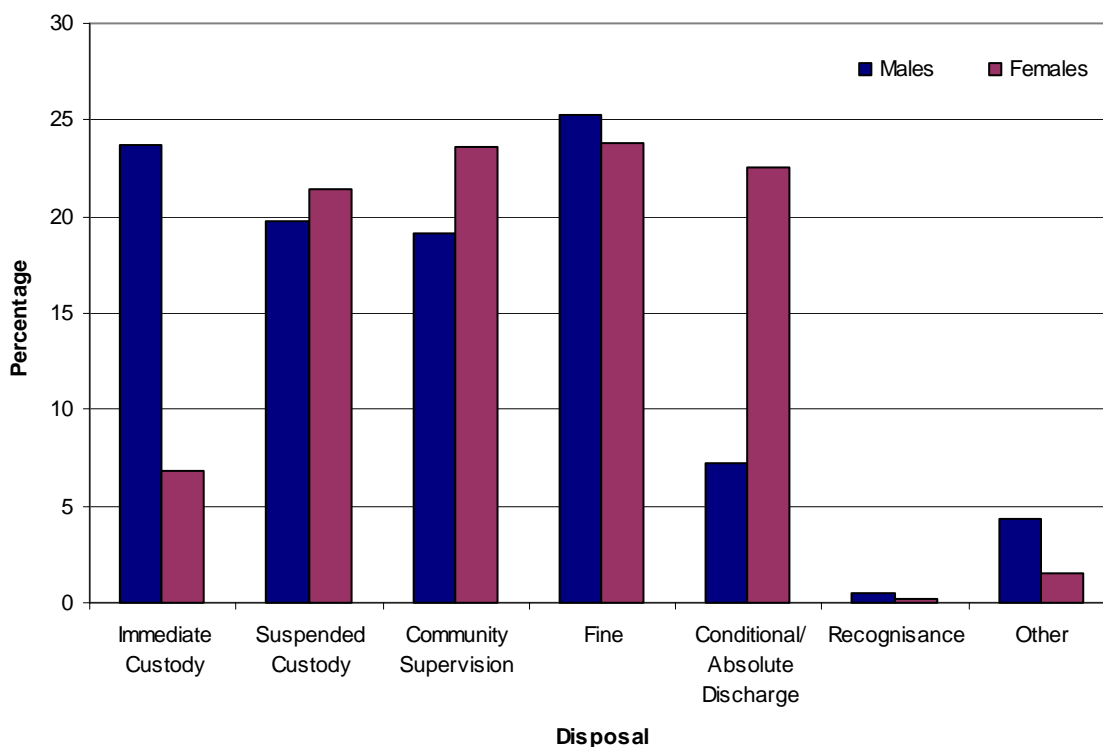


Source: Department of Justice Statistics and Research Branch

Disposals for Acquisitive Offences at all Courts by Gender

- ◆ A total of 2,593 people were sentenced for acquisitive offences (theft, burglary and fraud and forgery offences) in 2006, 10% of the total number sentenced.
- ◆ Males (24%) were more than three times as likely to receive immediate custody as females (7%). Similar proportions were given suspended custody (21% of females and 20% of males) (Figure 8.10).
- ◆ A fifth (20%) of those sentenced received a community-based disposal (19% of males and 24% of females).
- ◆ Twenty-three per cent of females were given a conditional or absolute discharge compared with 7% of males, whilst similar proportions of females and males received a fine (24% and 25% respectively).

Figure 8.10: Disposals for acquisitive offences at all courts by gender; 2006



Source: Department of Justice Statistics and Research Branch

Disposals for Sexual Offences at all Courts

- ◆ In 2006, 161 defendants were found guilty of sexual offences. Immediate custody was the most common disposal, given to 55% (89) of all those convicted (Figure 8.11).
- ◆ The immediate custodial sentence lengths given to sex offenders ranged from 15 persons given sentences of less than 6 months to 12 persons being given sentences of 96 months or more.
- ◆ For those sentenced to immediate custody for sexual offences the average sentence length was 39 months; rape¹ (122 months) and buggery (125 months) attracted the longest sentences on average (Figure 8.12).

Figure 8.11: Disposals given to those found guilty of sexual offences at all courts; 2006

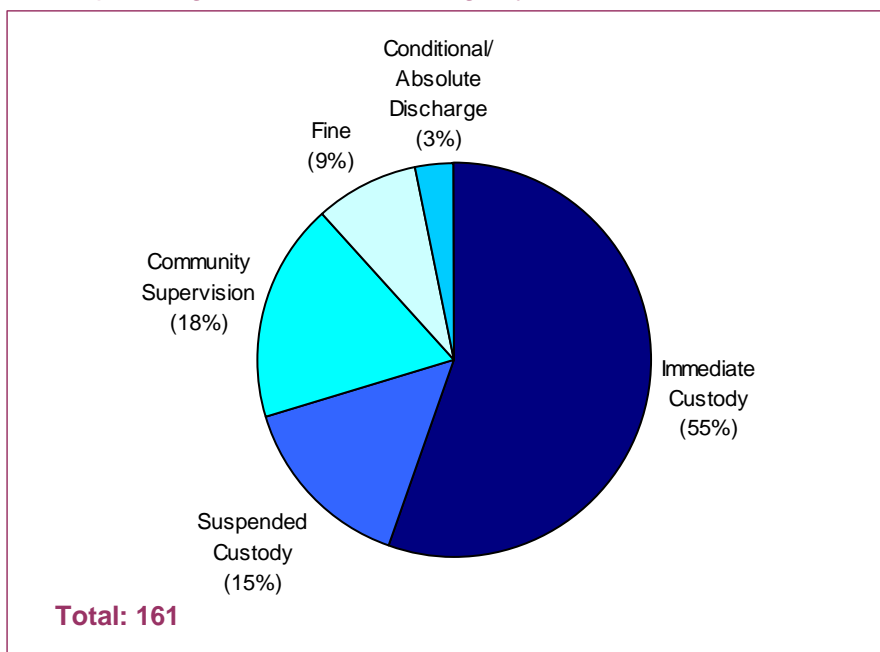
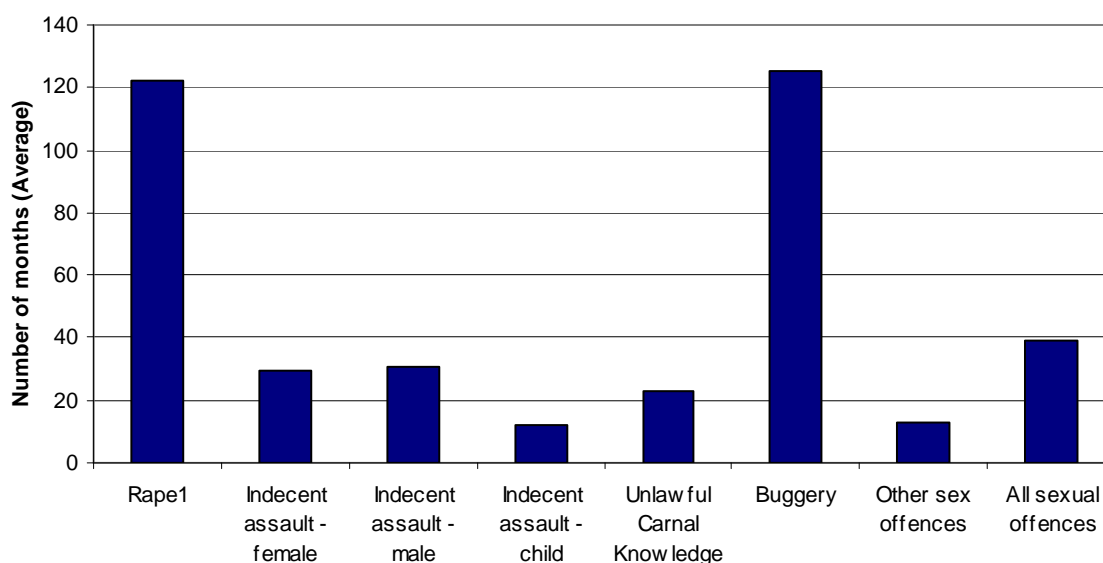


Figure 8.12: Average immediate custodial sentence length for those found guilty of sexual offences; 2006



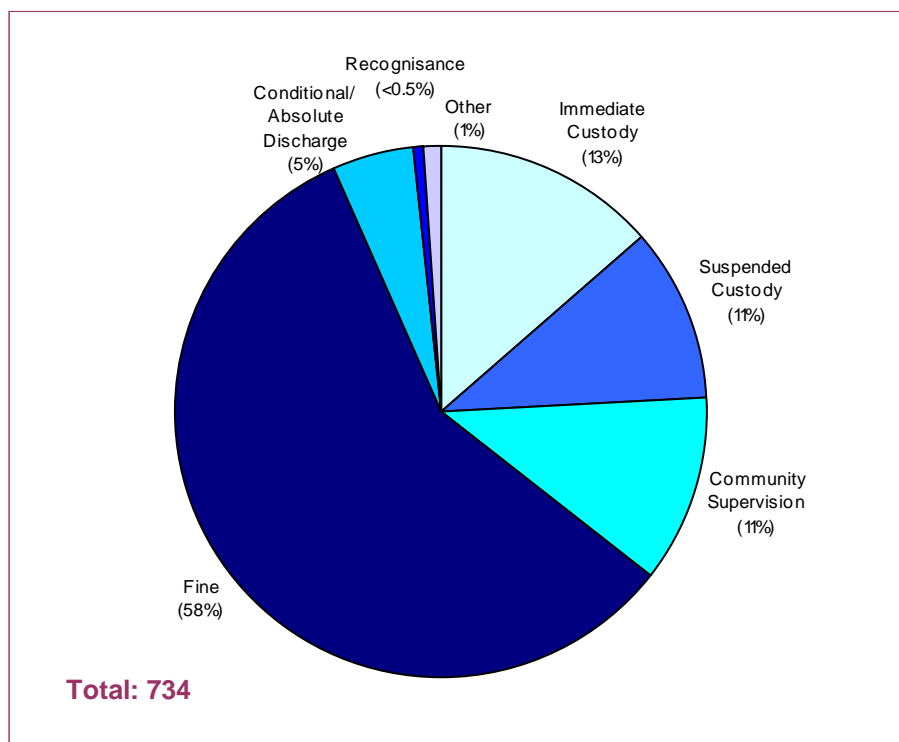
Footnote:
1. Includes attempted rape.

Source: Department of Justice Statistics and Research Branch

Disposals for Drug Offences at all Courts

- ◆ A total of 734 persons were sentenced for drug offences in 2006, 58% (425) of whom received a fine (Figure 8.13).
- ◆ Thirteen per cent were given immediate custody; equal proportions were given suspended custody or community supervision (both 11%).
- ◆ The offences which resulted in immediate custody in 2006 were unlawful supply, unlawful possession, possession with intent to supply and unlawful production.

Figure 8.13: Disposals given to those found guilty of drug offences at all courts; 2006



Source: Department of Justice Statistics and Research Branch

Chapter 9

Sentencing Trends

Immediate Custodial Sentencing

Immediate Custodial Sentencing by Offence Type

Hydebank Wood Young Offenders Centre

Suspended Custodial Sentences

Community Sentences

Attendance Centre Orders

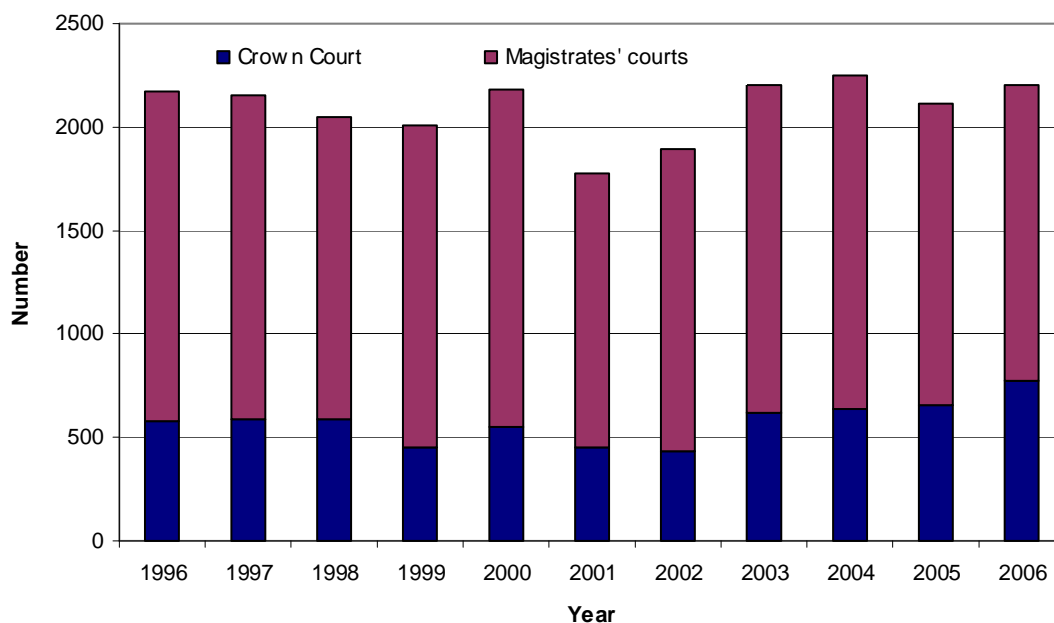
Fines

Other Disposals

Immediate Custodial Sentencing

- ◆ Immediate custody includes sentencing to prison, young offenders centre, juvenile justice centre and custody probation.
- ◆ There was a general downward trend in the number sentenced to immediate custody with the number falling from 2,168 in 1996 to 1,778 in 2001. In 2004, the number sentenced to immediate custody, 2,252, was at its highest in the documented ten year period. The number sentenced fell in 2005 to 2,111, before rising to 2,204 in 2006.
- ◆ The number of persons sentenced to immediate custody at the Crown Court also followed a general downward trend, falling from 575 in 1996 to 435 in 2002. In 2003 the number increased by 43% to 620 and continued to rise in each of the following three years reaching 773 in 2006 (Figure 9.1).
- ◆ In 2006, 1,431 persons were sentenced to immediate custody at the magistrates' courts, with a similar number to that of 2005 (1,452). The number sentenced at magistrates' courts has fluctuated since 1996 with a high of 1,625 in 2000 and a low of 1,329 in 2001.

Figure 9.1: Number of persons sentenced to immediate custody by court type, 1996 – 2006¹



Footnote:

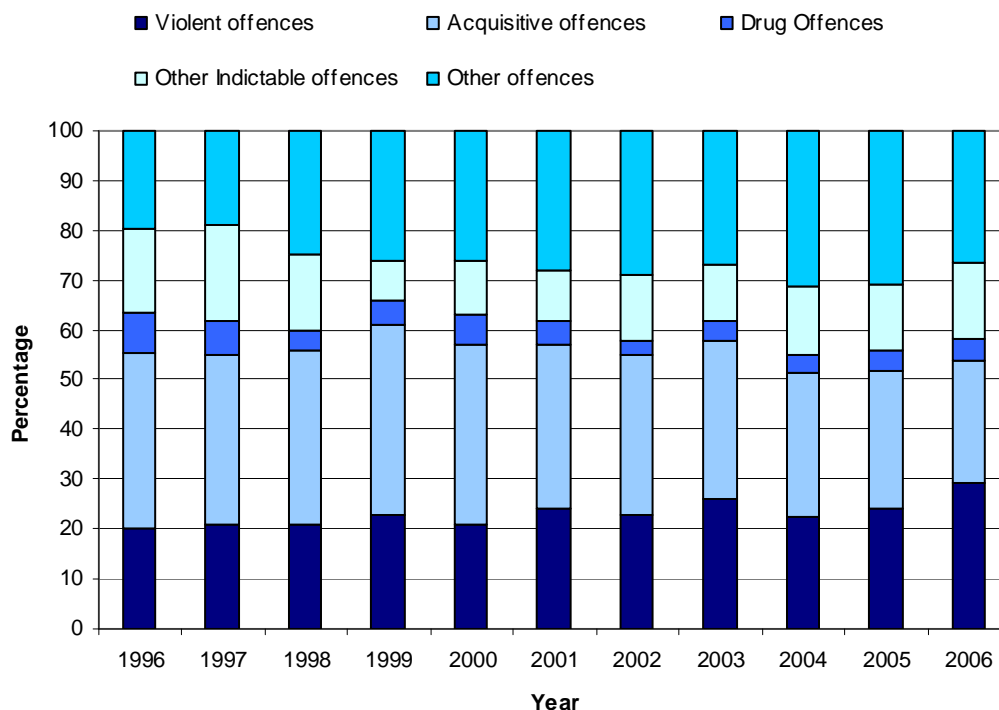
1. The indeterminate custodial sentence and the extended custodial sentence came into effect on the 15th May 2008. These disposals are not included within the sentence data in this publication as the latest courts data available at time of release was 2006.

Source: Department of Justice Statistics and Research Branch

Immediate Custodial Sentencing by Offence Type

- ◆ Between 1996 and 2003, those sentenced to immediate custody were more likely to have been convicted of acquisitive offences (burglary, theft and fraud and forgery). In 2004 and 2005, however, immediate custody was more likely to be given for 'other non-indictable offences' (summary and motoring offences) (31% in both years), while in 2006 violent offences (violence against the person, sexual offences and robbery) (29%) accounted for the largest proportion of immediate custodial sentences (Figure 9.2).
- ◆ There has been a general decline in the proportions of immediate custodial sentences resulting from convictions for acquisitive offences, from 36% in 1996 to 24% in 2006 and drug offences, from 8% to 4%.
- ◆ The proportions sentenced for violent offences (violence against the person, sexual offences and robbery) and 'other non-indictable offences' (summary and motoring offences) have, however, risen over the same period increasing from 20% to 29% and 20% to 26% respectively.

Figure 9.2: Immediate custodial sentencing at all courts by offence type; 1996 – 2006



Source: Department of Justice Statistics and Research Branch

Hydebank Wood Young Offenders Centre

- ◆ Young people (17-21 years) who are given prison sentences of up to four years are sent to Hydebank Wood Young Offenders Centre.
- ◆ After a decline in the numbers sentenced to the Young Offenders Centre from 549 in 1996 to 223 in 2000, the number increased in each of the subsequent years to reach 503 in 2004. The number then fell in each of the following two years to 404 in 2006.
- ◆ The same pattern occurred at the magistrates' courts, with a decrease from 443 in 1996 to 191 in 2000, followed by an increase to 456 in 2004, then a decrease in each of the following two years to 366 in 2006 (Figure 9.3).
- ◆ There has been an overall decrease in the number sentenced at the Crown Court from 106 in 1996 to 38 in 2006, with a high of 111 in 1997 and a low of 23 in 2002.
- ◆ Although acquisitive offences (burglary, theft and fraud and forgery) continue to account for the largest proportion of those sentenced, there has been an overall decrease in the proportion, from 40% in 1996 to 35% in 2006 (Figure 9.4).
- ◆ The proportions sentenced for violent offences (violence against the person, sexual offences and robbery) and 'other indictable offences' have both fluctuated between 1996 and 2006; however the proportions in 2006 (17% and 20% respectively) are similar to those in 1996 (16% and 20% respectively).
- ◆ In 2006, the proportion sentenced for drug offences was 1%, five percentage points less than in 1996 (6%), while 'other non-indictable offences' (summary and motoring offences) have shown an overall increase of nine percentage points over the same period, from 18% to 27%.

Figure 9.3: Number sentenced to Hydebank Wood Young Offenders Centre by court type; 1996 – 2006

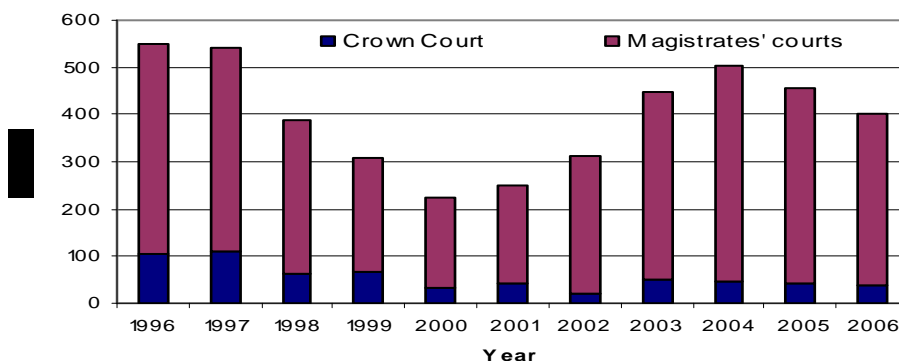
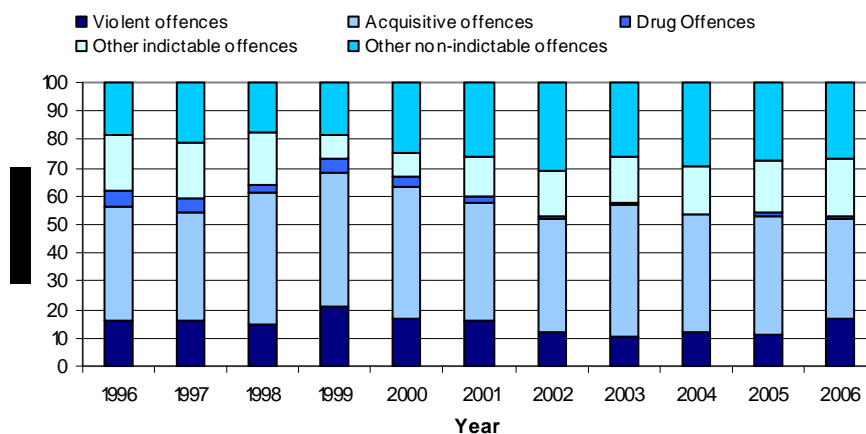


Figure 9.4: Sentencing to Hydebank Wood Young Offenders Centre at all courts by offence type; 1996 – 2006

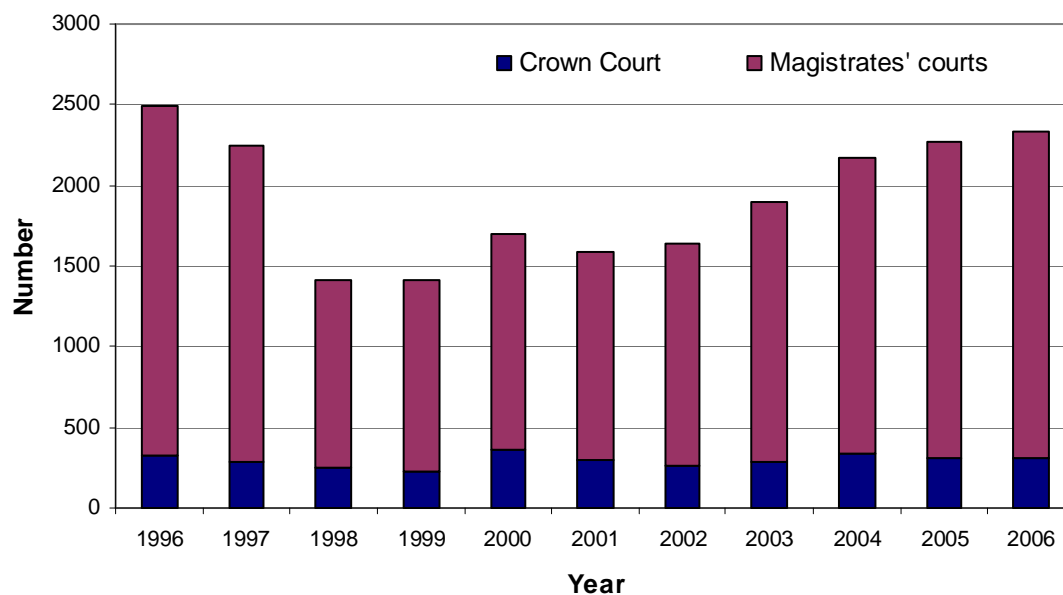


Source: Department of Justice Statistics and Research Branch

Suspended Custodial Sentences

- ◆ Those given suspended prison and young offenders centre sentences accounted for 9% of all court disposals in 2006. The total for 2006, 2,336, was an increase of 3% on the 2005 total of 2,264.
- ◆ Eighty four per cent of suspended sentences in 2006 were suspended prison sentences while the remaining 16% were suspended young offenders centre sentences. The equivalent figures for 2005 were 81% and 19% respectively.
- ◆ After a decline in the late 1990s in the number of suspended sentences given at magistrates' courts, from 2,166 in 1996 to 1,184 in 1999, there was a general upward trend in subsequent years and by 2006 (2,027) the number was similar to 1996 levels (Figure 9.5).
- ◆ In 1996, 324 suspended sentences were given at the Crown Court with a similar number of 309 given in 2006. During this period the number of suspended sentences fluctuated, reaching a low of 226 in 1999 and a high of 361 in 2000.

Figure 9.5: Number of persons given suspended custody by court type; 1996 - 2006

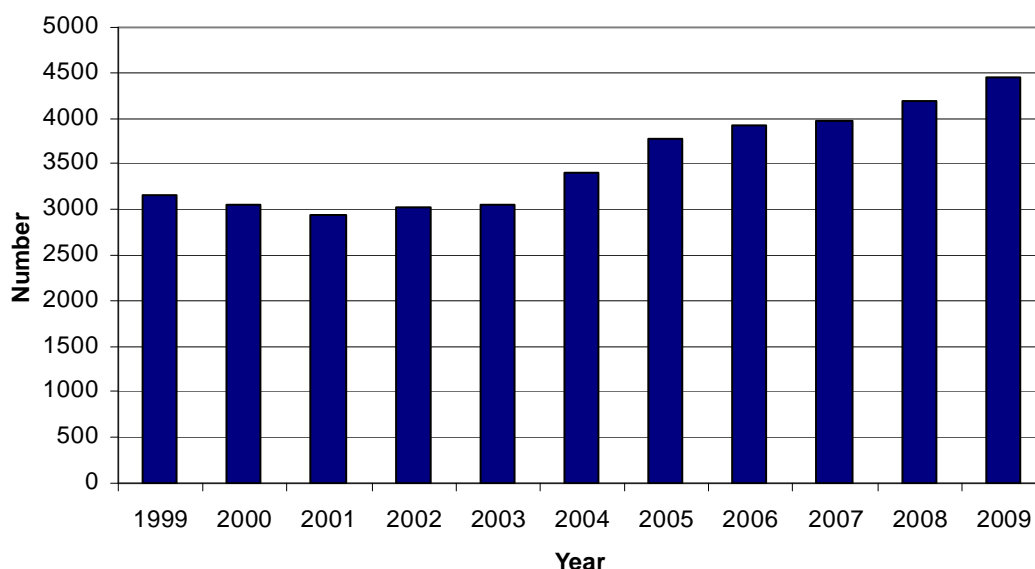


Source: Department of Justice Statistics and Research Branch

Community Sentences

- ◆ The Probation Board for Northern Ireland (PBNI) supervise a range of statutory orders in the community on behalf of the courts. PBNI are also responsible for supervising offenders in the community who have both a custodial and community-based element in their court disposal, including Custody Probation Orders and Juvenile Justice Centre Orders. PBNI also supervise people released from custody who are required to comply with licence conditions, including Life Licences, Sex Offender Licences, Indeterminate Custodial Sentences, Extended Custodial Sentences and Determinate Sentences.
- ◆ During 2009, PBNI prepared a total of 5,919 pre-sentence reports to assist decision making. This represented a 3% increase on the 5,746 reports prepared during 2008. There has been a 27% rise however in the number of Specific Sentence Reports completed from 230 in 2008 to 293 in 2009. Other reports provided by the Probation Board included reports to the Life Sentence Review Commissioners (regarding release from custody), and reports to the courts when an offender had not complied with PBNI requirements in the community (breach and revocation reports).
- ◆ At the end of December 2009, PBNI were supervising a total of 4,462 orders, an increase of 6% compared with the previous year (Figure 9.6).
- ◆ The number of new orders (including licences) made by the courts and under PBNI supervision increased from 3,120 in 2008 to 3,264 in 2009, an increase of 5% (Figure 9.7).
- ◆ Probation Orders continue to account for the majority of orders made. The 1,319 probation orders made in 2009 represented a <1% drop on the 1,324 made during 2008. Overall, probation orders accounted for 40% of all orders made during 2009 (the equivalent figure for 2008 was 42%).
- ◆ Community Service Orders have historically been the second largest category. The 1,125 Community Service Orders made during 2009 represented a 23% increase on the 918 orders made during 2008. Overall, Community Service Orders accounted for 34% of all orders made during 2009 (the equivalent figure for 2008 was 29%).

Figure 9.6: PBNI caseload at 31 December; 1998 – 2008

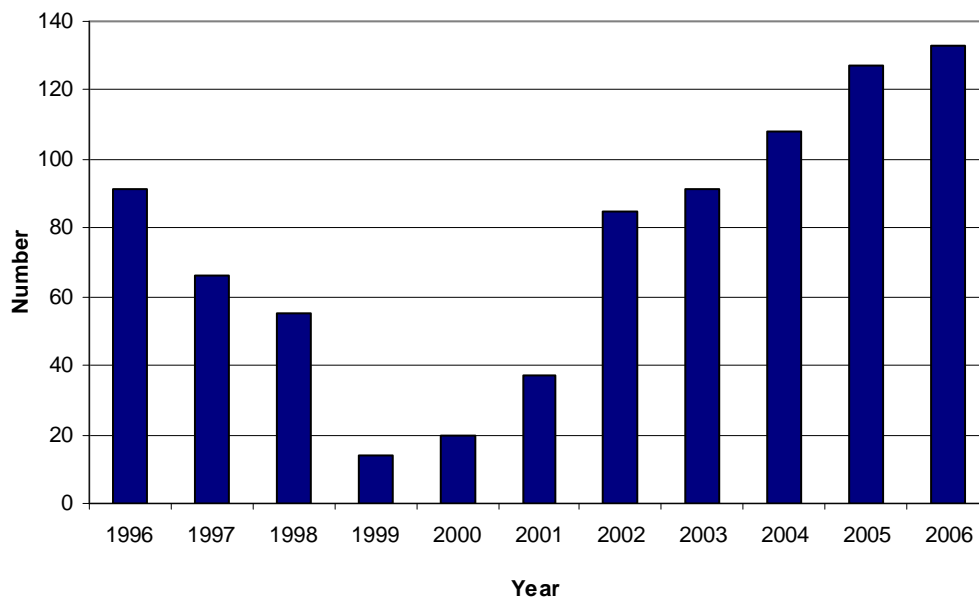


Source: Probation Board for Northern Ireland

Attendance Centre Orders

- ◆ From 1 April 2002, Community Services of the Youth Justice Agency gained sole responsibility for the provision of services for attendance centre orders (selected projects had responsibility from 1 May 2000). An attendance centre order requires an offender under the age of 18 years to attend a project for between 12 and 24 hours, usually for two hours at a time over a period of weeks.
- ◆ From 1996 to 1999 the number of persons given an attendance centre order showed a general decline, from 91 to 14. This trend reversed in 2000 when the number rose to 20 and has continued to rise in each subsequent year reaching 133 in 2006 (Figure 9.8).

Figure 9.7: Number of persons given an attendance centre order at all courts; 1996-2006



Source: Department of Justice Statistics and Research Branch

Fines

- ◆ The fine is the most common method of disposal used by the court, given to 66% (17,362) of all those sentenced in 2006.
- ◆ While there has been an irregular reduction in the absolute numbers of those given a fine from 20,653 in 1996 to 17,362 in 2006, the proportion of fines out of all sentences has, nonetheless remained relatively stable over the ten year period accounting for around two thirds of all those sentenced (Figure 9.9).
- ◆ The proportion of fines given for motoring offences has fallen slightly, from 81% in 1996 to 78% in 2006, while the proportion given for indictable offences has shown an increase from 10% to 13% over the same period. Summary offences on average accounted for around one tenth of fines (Figure 9.10).
- ◆ Of those who received a fine as a main penalty in 2006, the average amount of fine was £173.
- ◆ At the beginning of the financial year 2007/08 (i.e. at 1 April 2007), fines outstanding totalled £7.1 million. By the end of the financial year (i.e. by 31 March 2008), this figure had increased to £7.9 million.
- ◆ In 2009, 1,394 persons were received into prison for fine default, compared with the 2008 figure of 1,742.

Figure 9.8: Number of persons given a fine at all courts; 1996 – 2006

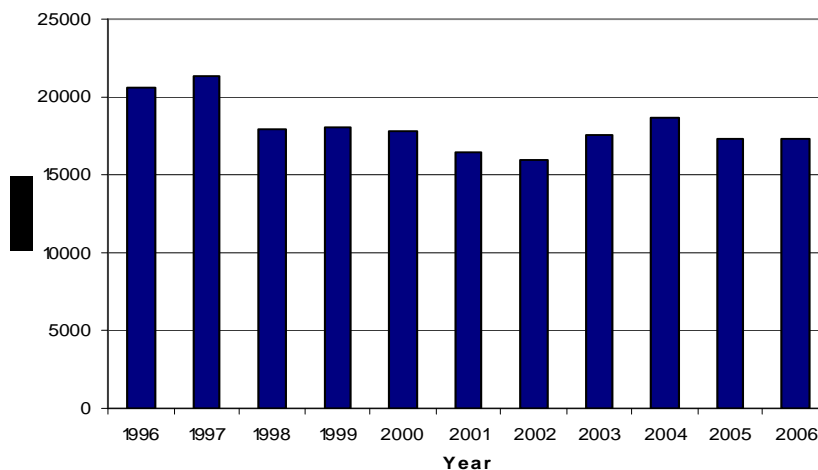
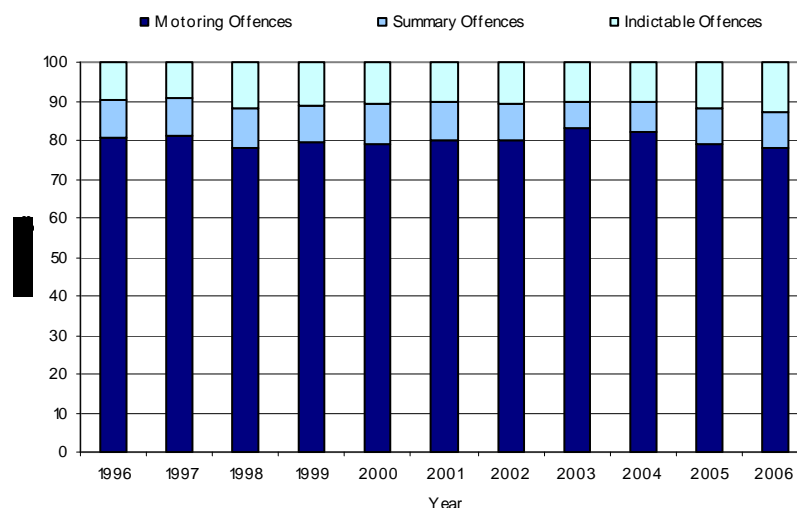


Figure 9.9: Persons sentenced to a fine by offence category; 1996 - 2006



Source: Department of Justice Statistics and Research Branch

Other Disposals

- ◆ From 1996-2006 there has been some fluctuation in the number given recognisance, although the number has shown an overall decrease from 1,210 in 1996 to 701 in 2006. The proportion sentenced to recognisance has, however, remained relatively stable accounting for on average around 3-4% of all disposals (Figure 9.11).
- ◆ There were similar patterns in the numbers given a conditional or an absolute discharge. In 1996, the number of persons given a conditional discharge was 1,709, which fell to 1,126 in 2006. The equivalent numbers given an absolute discharge were 509 and 133 respectively (Figure 9.12).
- ◆ In 2006, conditional discharges accounted for 4% of all disposals, while absolute discharges accounted for 1%.

Figure 9.10: Number of persons convicted and given recognisance; 1996 – 2006

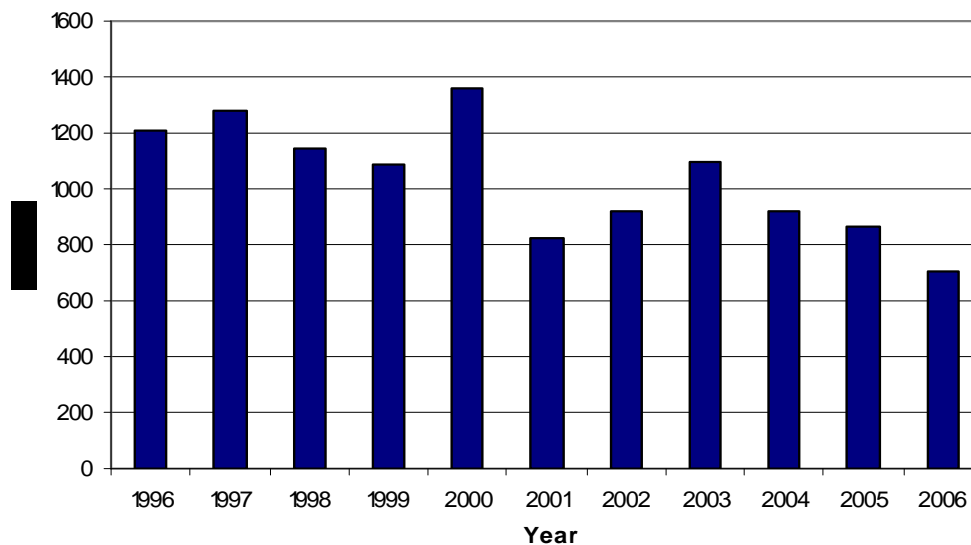
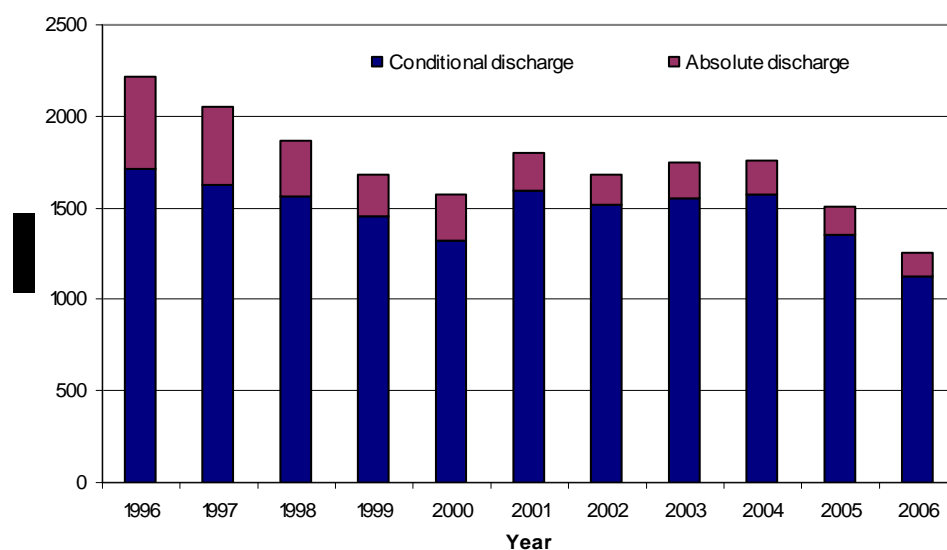


Figure 9.11: Number of persons convicted and given an absolute or conditional discharge; 1996 - 2006



Source: Department of Justice Statistics and Research Branch

Chapter 10

Appeals

The Court of Appeal: Types of Appeal

The Court of Appeal: Grounds of Appeal

The Court of Appeal: Outcome of Criminal Appeals

Appeals from Magistrates' Courts to the County Court

Outcome of Appeals from Magistrates' Courts to the County Court

The Court of Appeal: Types of Appeal

- ◆ The Court of Appeal (Criminal Division) deals with appeals from the Crown Court. Scheduled cases have an automatic right of appeal, whereas non-scheduled cases must seek the leave of the court to appeal.
- ◆ The number of appeals lodged in the Court of Appeal in 2009 was 84 compared with 78 in 2008. In 2009, 90% of criminal appeals dealt with were in respect of non-scheduled offences (Figure 10.1).
- ◆ In 2009, 27 of the 39 cases requiring the leave of the court to appeal against conviction or sentence were refused (Figure 10.2).

Figure 10.1: Types of criminal appeal dealt with by the Court of Appeal (Criminal Division); 1999 – 2009

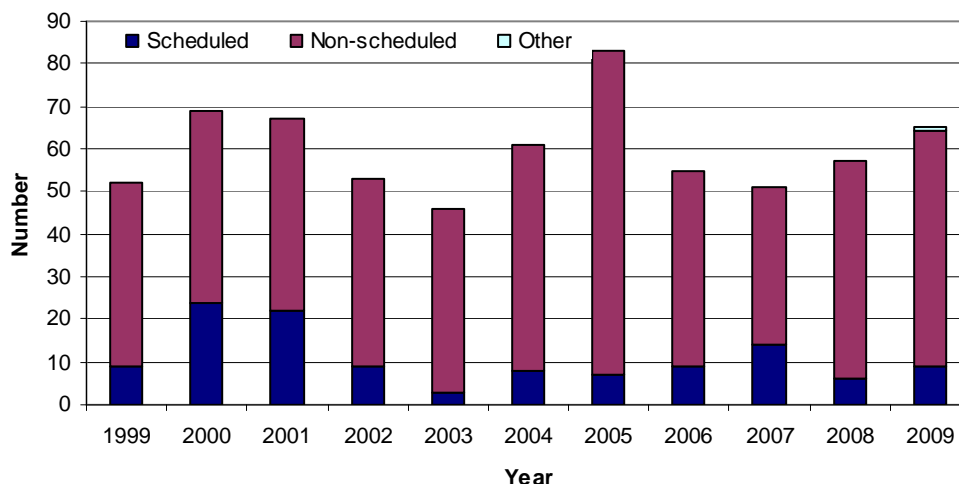
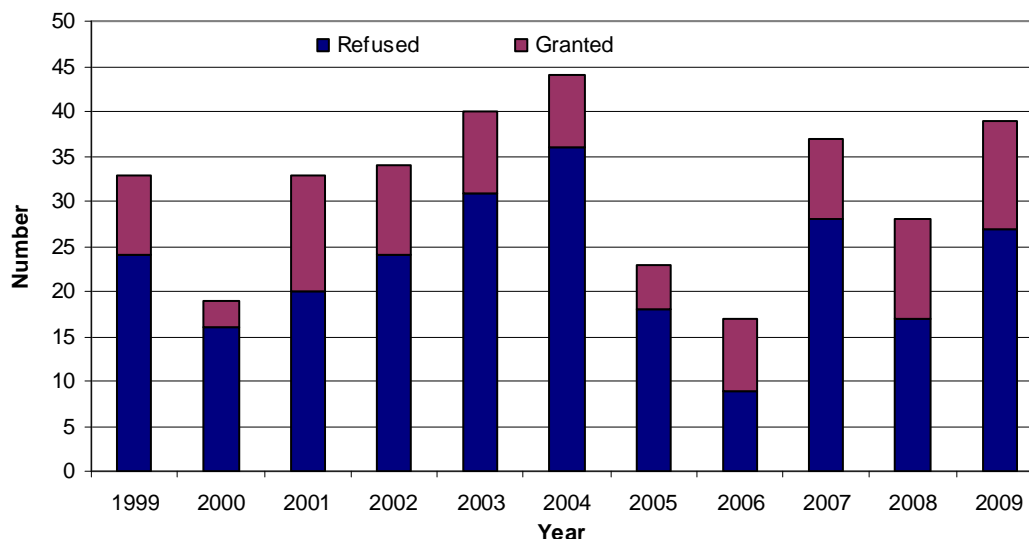


Figure 10.2: Applications to the Court of Appeal (Criminal Division) for leave to appeal against conviction or sentence dealt with by a single judge; 1999 – 2009



1. 'Other' appeal refers to one appeal pursuant to Article 17 of the Criminal Justice (NI) Order 2004.

Sources: Northern Ireland Judicial Statistics: 1999 – 2009; Northern Ireland Court Service

The Court of Appeal: Grounds of Appeal

- ◆ Over half of appeals lodged in 2009 (54%) were against sentence compared with 72% in 2008 (Figure 10.3).
- ◆ Non-scheduled appeals are, in general, more often against sentence only (Figure 10.4) whereas scheduled appeals have often been against conviction or conviction and sentence combined (Figure 10.5).

Figure 10.3: Type of appeal lodged in criminal cases; 1999 – 2009

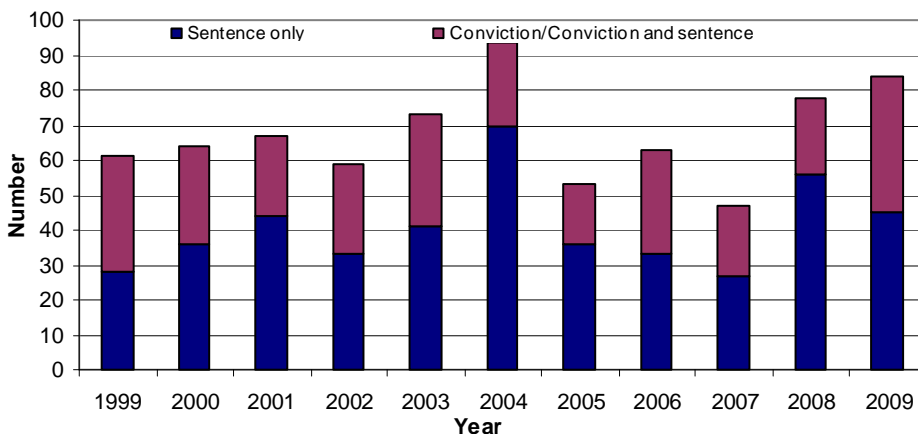


Figure 10.4: Type of appeal lodged in non-scheduled criminal cases; 1999 – 2009

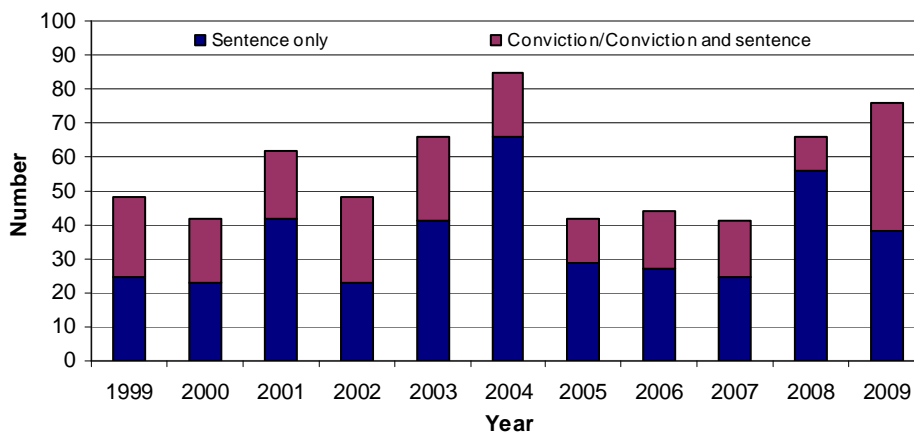
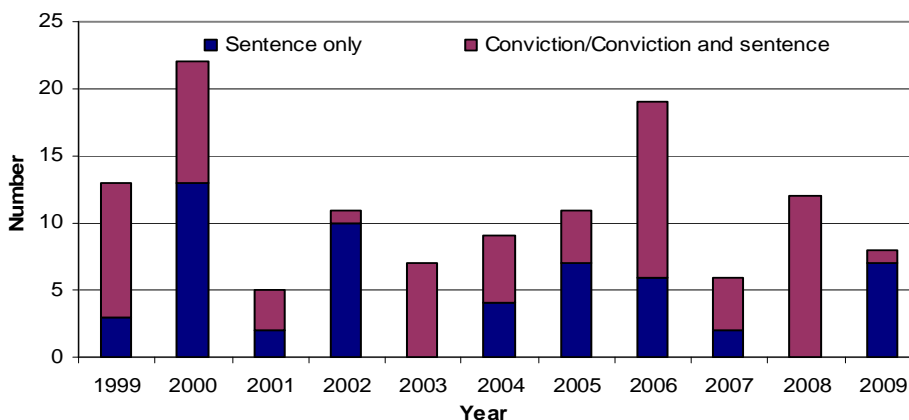


Figure 10.5: Type of appeal lodged in scheduled criminal cases; 1999 – 2009

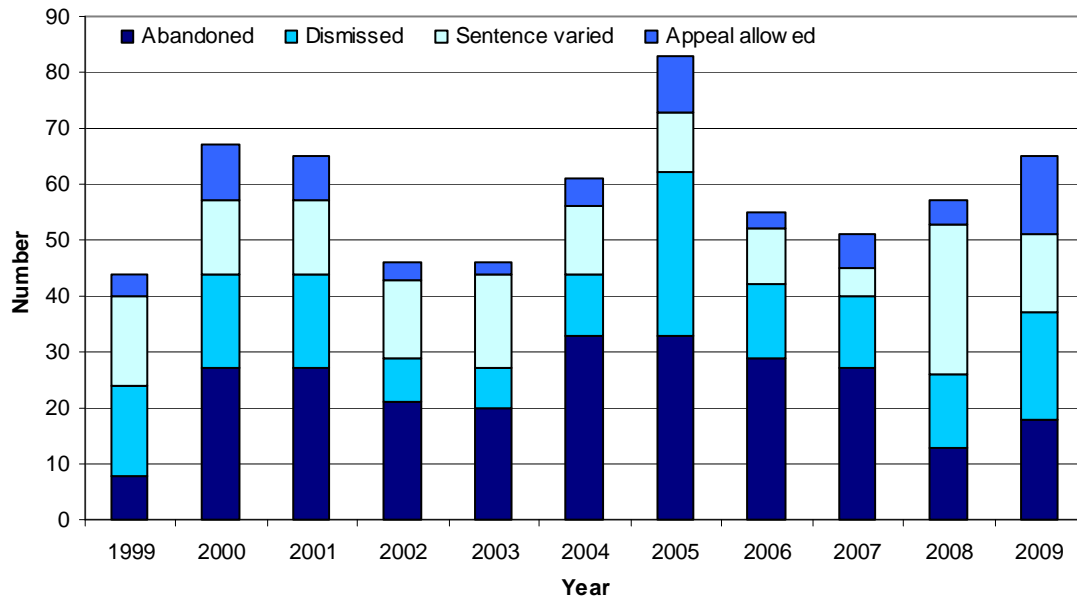


Sources: Northern Ireland Judicial Statistics: 1999 – 2009

The Court of Appeal: Outcome of Criminal Appeals

- ◆ An appeal to the Court of Appeal normally consists of a ‘paper review’ of evidence which was presented to the Crown Court rather than a full rehearsing of the case.
- ◆ The number of appeals dealt with in 2009 (65) was slightly higher than the previous year (57) (Figure 10.6).
- ◆ Fifty-seven per cent of appeals resulted in the original decision being confirmed (either dismissed or abandoned); the proportions which resulted in the conviction being quashed or the sentence varied were equal at 22%.

Figure 10.6: Court of Appeal (Criminal Division) - Result of appeal; 1999 – 2009



Footnotes:

1. Abandoned refers to those appeals abandoned, withdrawn or refused.
2. Appeal dismissed refers to the sentence being affirmed or appeal dismissed.
3. Sentence varied refers to the sentence being increased or decreased.
4. Appeal allowed refers to the conviction being quashed.

Sources: Northern Ireland Judicial Statistics: 1999-2009

The Court of Appeal: Outcome of Criminal Appeals (continued)

- ◆ In 2009, out of 9 scheduled appeals, 4 had the sentence varied, 3 were dismissed and 2 were abandoned (Figure 10.7).
- ◆ There were no scheduled appeals allowed in 2009.
- ◆ Out of 55 non-scheduled appeals in 2009, 16 were abandoned, 15 were dismissed, 14 had appeal allowed and a further 10 had the sentence varied (Figure 10.8).
- ◆ In 2009, 44% (24 out of 55) of non-scheduled appeals had the initial court disposal varied (appeal allowed or sentence varied) compared with 59% in 2008.

Figure 10.7: Outcome of criminal appeals in scheduled cases; 1999 – 2009

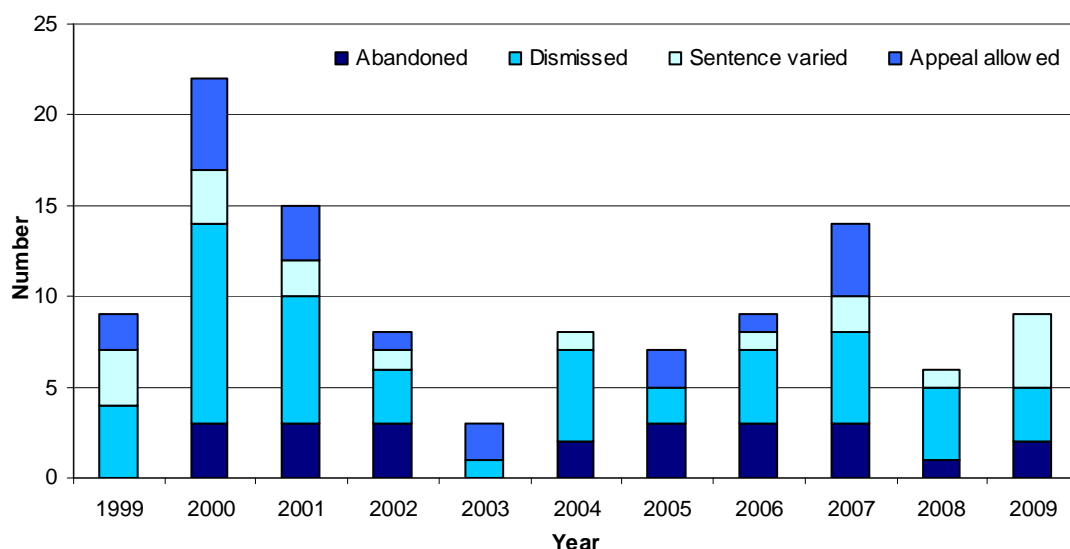
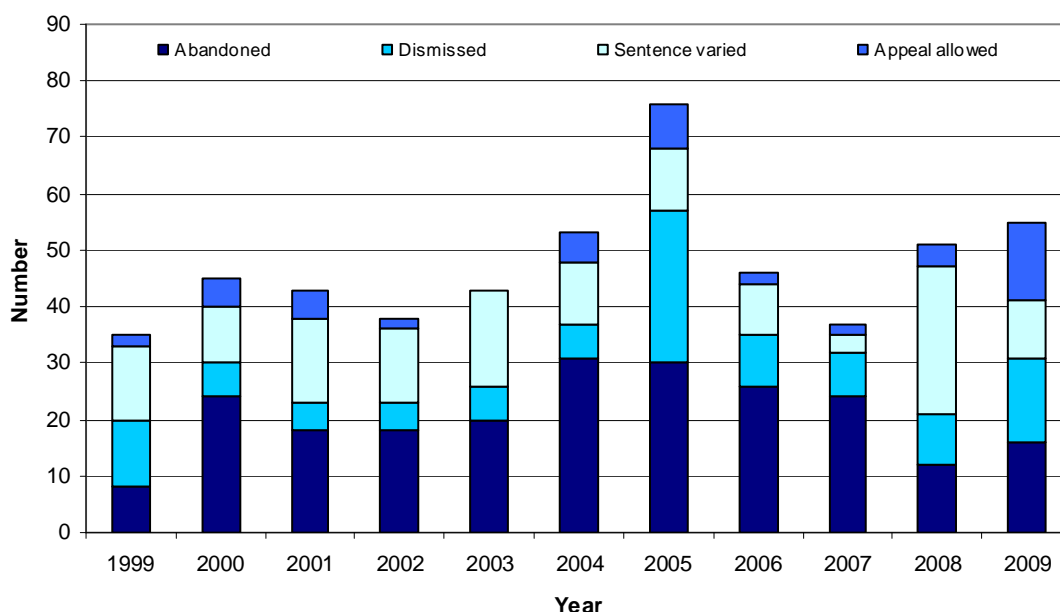


Figure 10.8: Outcome of criminal appeals in non-scheduled cases; 1999 – 2009



Footnotes:

1. Abandoned refers to those appeals abandoned, withdrawn or refused.
2. Appeal dismissed refers to the sentence being affirmed or appeal dismissed.
3. Sentence varied refers to the sentence being increased or decreased.
4. Appeal allowed refers to the conviction being quashed.

Sources: Northern Ireland Judicial Statistics: 1999-2009

Appeals from Magistrates' Courts to the County Court

- ◆ If someone is convicted in a magistrates' court they may appeal against the conviction or sentence. The appeal is held by a county court which can hear all the evidence again and which can uphold, reverse or amend the original decision. If the appeal is based on point of law, the appeal is heard in the Court of Appeal.
- ◆ The number of appellants dealt with by the county court was 1,547 in 2009, compared with 1,391 in 2008 (Figure 10.9).
- ◆ The total number of appeals dealt with in the county court during 2009 was 2,317 (an appellant can account for more than one appeal). Of these, the vast majority (2,274 or 98%) were criminal appeals. Civil appeals accounted for just 2% (43) of all appeals.
- ◆ In 2009, 70% (1,584) of criminal appeals in the county court were against sentence only; the remaining 690 (30%) were against conviction and sentence combined (Figure 10.10).
- ◆ Criminal appeals against sentence only, have increased by 8%, from 1,462 in 2008 to 1,584 in 2009.
- ◆ Over this same period, the number of appeals against conviction only or conviction and sentence has fallen by 6%, from 735 in 2008 to 690 in 2009.

Figure 10.9: Appellants from magistrates' courts dealt with by the county court; 1999 – 2009

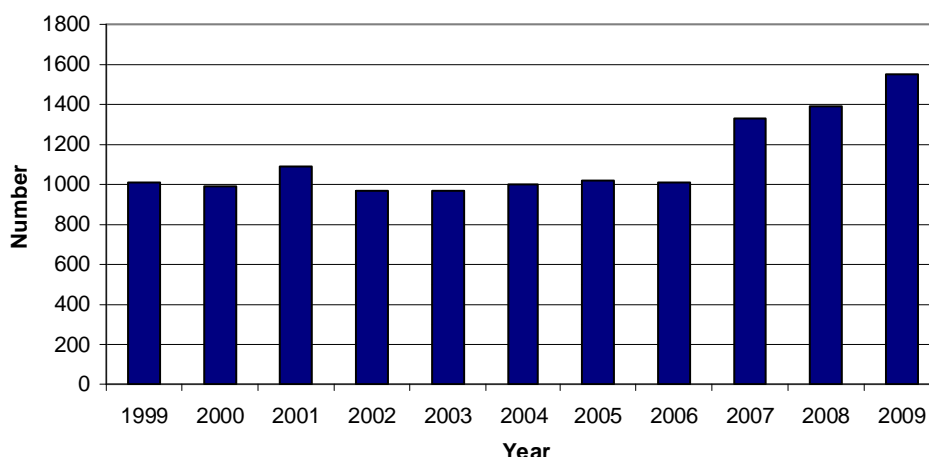
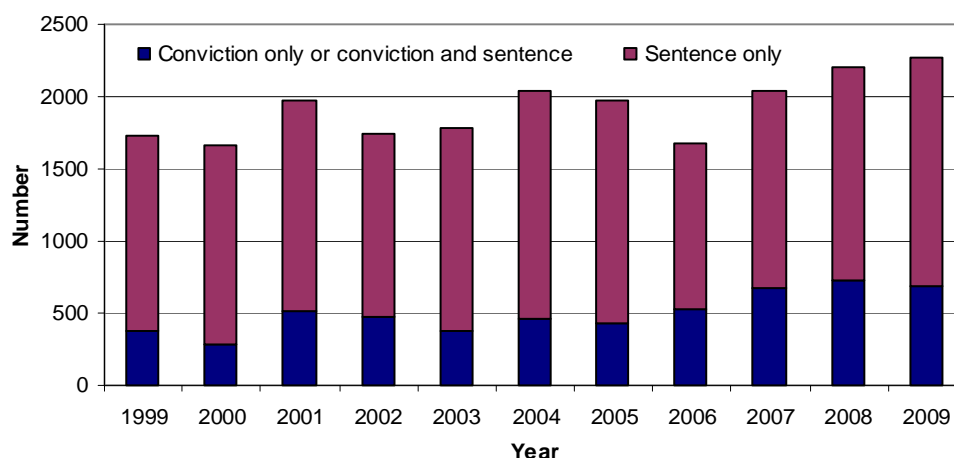


Figure 10.10: Grounds of appeal of appellants from magistrates' courts to the county court; 1999 – 2009¹



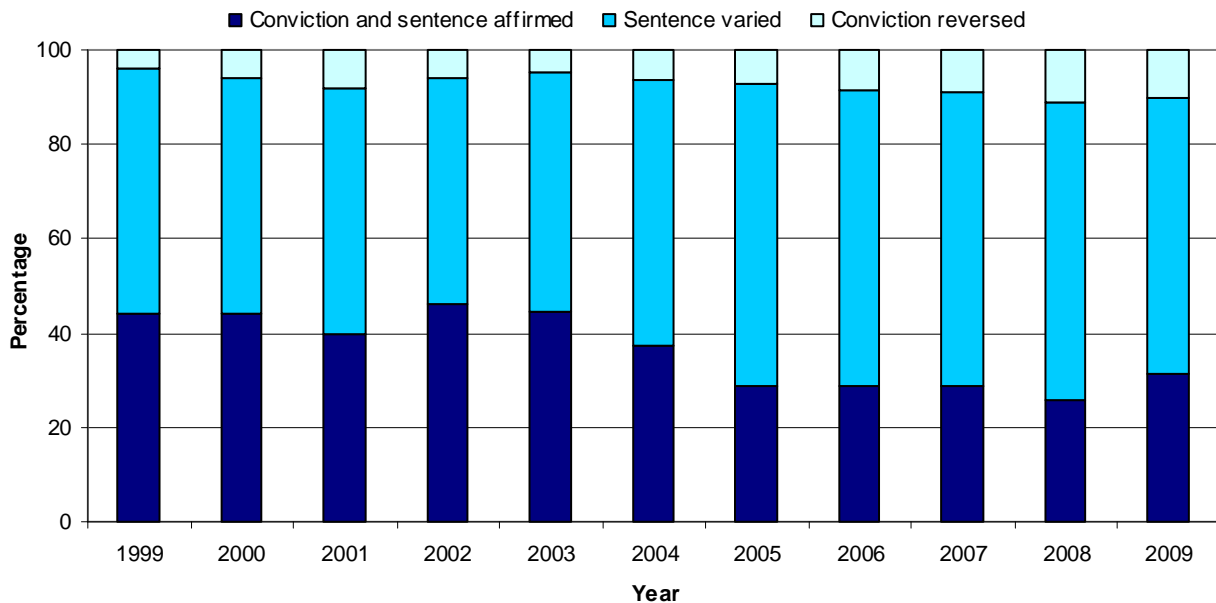
Footnote:

1. Excludes civil appeals and appeals withdrawn.

Outcome of Appeals from Magistrates' Courts to the County Court

- ◆ In 2009, 31% of appeals from the magistrates' courts to the county court had the original court disposal confirmed. This compares with 26% in 2008 (Figure 10.11).
- ◆ Almost three-fifths (58%) resulted in a varied sentence in 2009.
- ◆ In 2008 and 2009, similar proportions resulted in the conviction being reversed at 11% and 10% respectively.

Figure 10.11: Outcome of appeals from magistrates' courts to the county court; 1999 – 2009¹



Footnote:

1. Excludes civil appeals.

Sources: Northern Ireland Judicial Statistics: 1999 – 2009

Chapter 11

Custody

Introduction

Average Prison Population

Average Prison Population by Prison Establishment

Types of Prisoner

Prisoners Sentenced to Immediate Custody

Sexual Offenders

Fine Default

Imprisonment in Northern Ireland and Other Countries

Life Sentence Prisoners Released on Licence

Prison Population Projections 2005-2009

Juvenile Justice Centre

Admissions into Juvenile Justice Centre

Average Juvenile Justice Centre Population

Introduction

- ◆ Offenders given an immediate custodial sentence by the court may be specifically directed to a juvenile justice centre (if under 17), a young offenders centre (if under 21 and receiving a sentence of up to four years) or may be given a more general order of imprisonment or detention. Juvenile justice centres are not prison establishments and statistics on persons detained there are reported in a separate section at the end of this chapter.

Average Prison Population

- ◆ The overall annual average prison population in Northern Ireland decreased by almost 2% from an average of 1,490 in 2008 to an average of 1,465 in 2009. The 2009 average remand population of 505 was almost unchanged from the 2008 level (507) (Figure 11.1).
- ◆ The total number of receptions into prison decreased by almost 5% from 6,185 to 5,892 in 2009.
- ◆ Almost three quarters (73%) of the average prison population sentenced to immediate custody in 2008 were males between the ages of 17 and 39 (Figure 11.2).

Figure 11.1: Average prison population by type of prisoner; 1978-2009

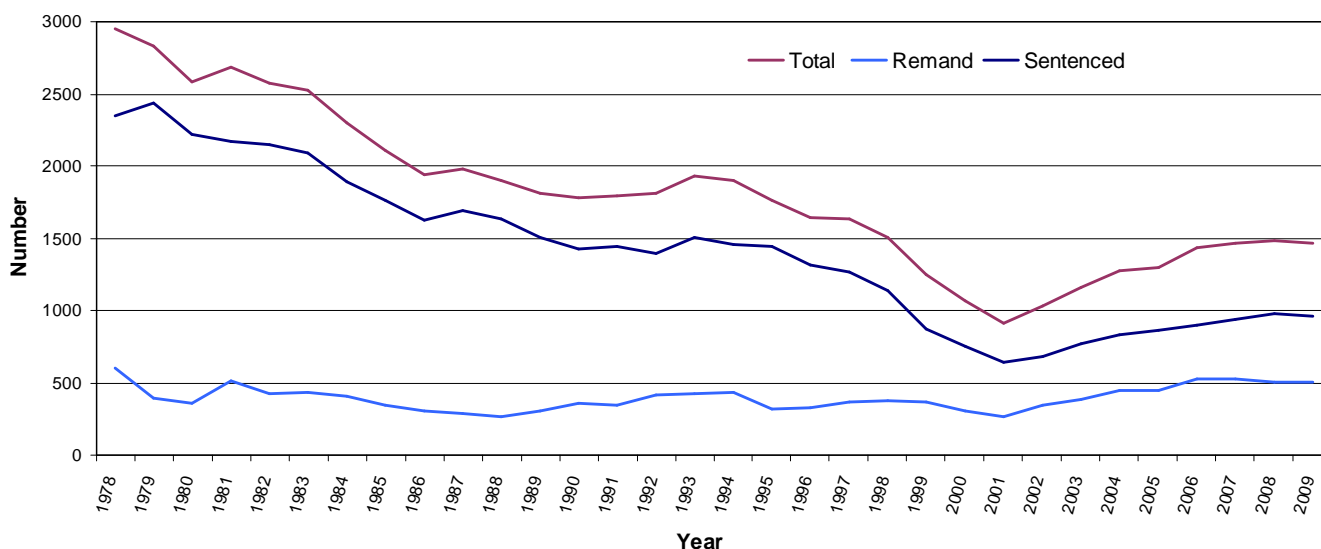
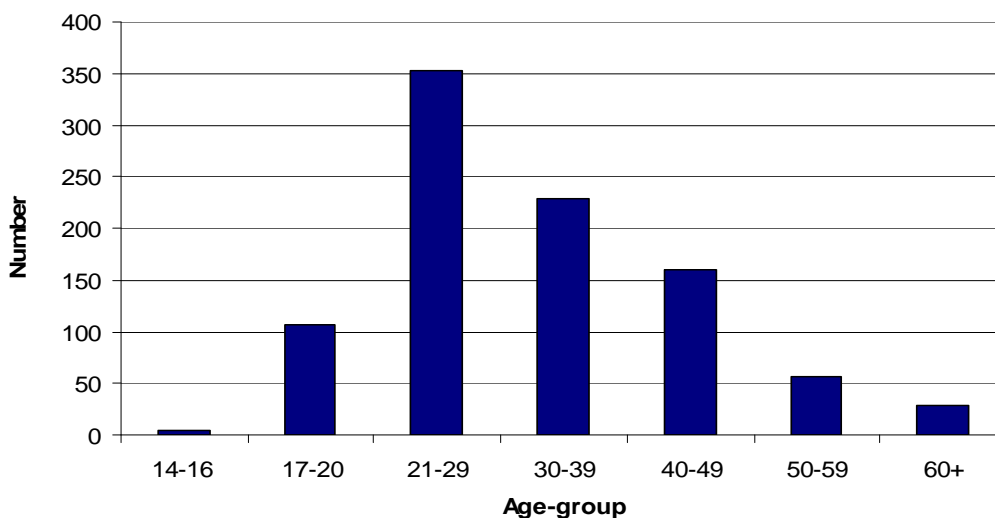


Figure 11.2: Average prison population under sentence of immediate custody by age at sentence; 2009



Source: 'The Northern Ireland Prison Population in 2009': DoJ Research and Statistical Bulletin 2/2010

Average Prison Population by Prison Establishment

- ◆ HMP Maghaberry has the largest prison population in Northern Ireland, having an average population of 820 (55% of the total) in 2009. This consisted of 400 remand prisoners and 420 sentenced prisoners (95% of whom were under sentence of immediate custody, 4% under sentence of fine default and 1% who were immigration detainee prisoners).
- ◆ The largest proportion of fine default prisoners are held in HMP Maghaberry – 15 on average in 2009.
- ◆ Female prisoners are held in a separate unit within Hydebank Wood Prison. On average in 2009 there were 48 female prisoners; 23 immediate custody; 1 fine default; less than 1 immigration detainees; and 23 remand prisoners.
- ◆ Young offenders are housed in a separate area of Hydebank Wood. Detention in the young offenders centre is instead of imprisonment for offenders of not less than 16 years but under 21 years who have been convicted of an offence and given a sentence of less than 4 years

Table 11.1: Average population in prison establishments by type of prisoner; 2009

Prisoner Type	Prison Establishment				TOTAL ¹
	Magilligan	Maghaberry	Hydebank Wood (YOC)	Hydebank Wood (Female)	
Remand	0	400	82	23	505
Fine defaulter	0	15	4	1	20
Immediate custody	416	400	95	23	934
Immigration detainee	0	5	1	0	6
TOTAL	416	820	181	48	1465

Footnote:

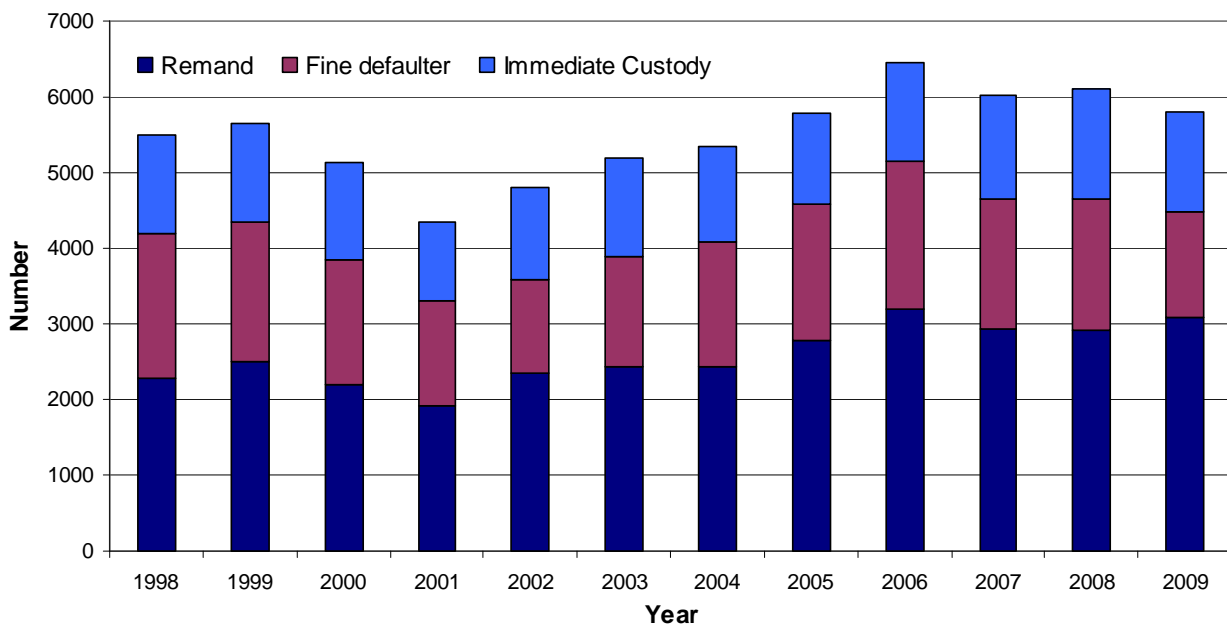
1. Rows and columns may not sum owing to rounding of average figures.

Source: NIO Statistics and Research Branch

Types of Prisoner

- ◆ In 2009, 52% (3,082) of prisoner receptions were remands, 24% (1,394) were for fine default and 22% (1,322) were immediate custody (Figure 11.3). A small number of non-criminal prisoners (91) were also received into prison in 2009.
- ◆ The total number of receptions into prison decreased between 2008 and 2009. A total of 5,892 prisoners were received during 2009, 5% less than in 2008 (6,185).
- ◆ Between 2008 and 2009, remand receptions increased by 6%; fine default receptions decreased by 20% and immediate custody receptions decreased by 10%.

Figure 11.3: Prison receptions by type of prisoner; 1998-2009

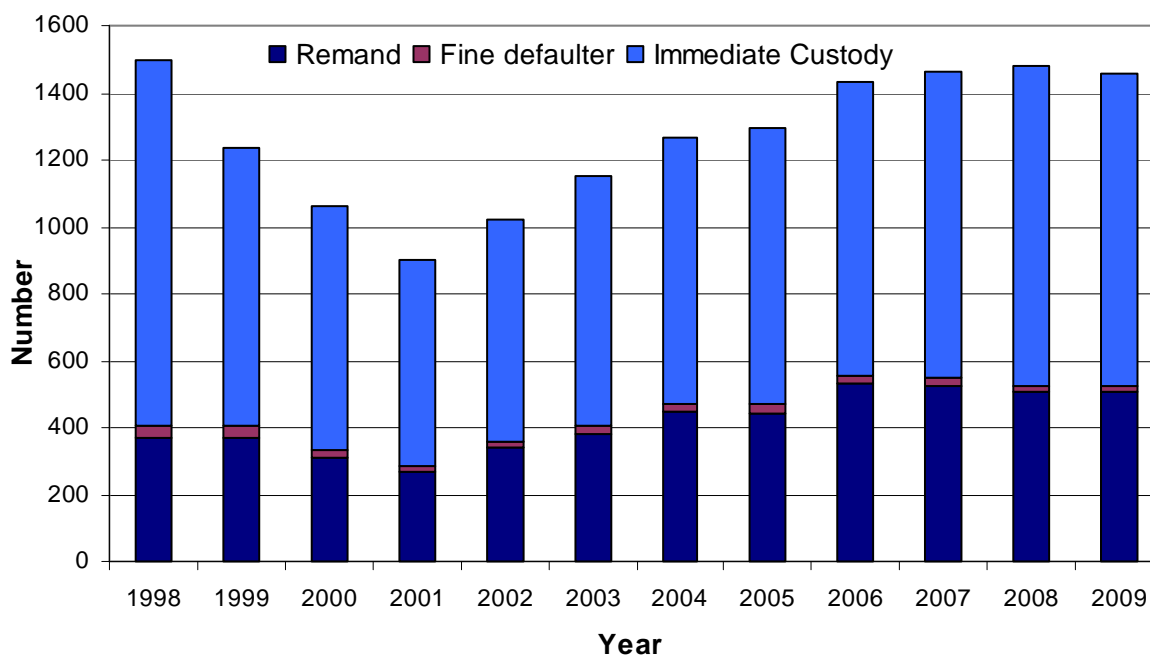


Source: 'The Northern Ireland Prison Population in 2009': DoJ Research and Statistical Bulletin 2/2010

Types of Prisoner (continued)

- ◆ The 2009 average remand population of 505 was a decrease of just 2 on the 2008 level (507). In the last four years the remand population has been larger than at any other point over the last decade; the lowest average remand population over the last ten years occurred in 2001 (266) (Figure 11.4).
- ◆ The average fine defaulter population in 2009 was 20 (the 2008 average was 21). The average number of fine defaulters has fluctuated during the last decade, reaching a high of 33 in 1999 and a low of 17 in 2002.
- ◆ The average immediate custody population in 2009 was 934, 2% lower than in 2008 (955) and representing the first decrease since 2000. The most noticeable decline in the average immediate custody population occurred between 1998 (1,094) and 2001 (616), a decrease of 44%. The overall decrease during the last decade can be partially explained by the number of prisoners discharged under the Northern Ireland (Sentences) Act 1998 which came about as a result of the Belfast Agreement.
- ◆ The average number of non-criminal prisoners (mainly immigrant detainees) remained at 6 in 2009 and 2008. The annual average has varied over the last decade from a low of 2 in 2006 to a high of 10 in 1998 and 2004.

Figure 11.4: Average prison population by type of prisoner¹; 1998-2009



Footnote:

1. Number of non-criminal prisoners was too small for inclusion.

Source: 'The Northern Ireland Prison Population in 2008': NIO Research and Statistical Bulletin 5/2009

Prisoners Sentenced to Immediate Custody

- ◆ In 2009, 67% of prisoners sentenced to immediate custody were serving sentences for violent offences (violence against the person, sexual offences, robbery) (Figure 11.5).
- ◆ In 2009, 19% of the immediate custody population (174) were serving life sentences; 31% (292) were serving determinate sentences of over 5 years, and 19% (180) were serving sentences of 1 year and under (Figure 11.6).
- ◆ In contrast, in 2009 67% (887) of those received under sentence of immediate custody were for sentences of 1 year or under in length; 6% (80) had determinate sentences of over 5 years, and almost 2% (21) received life sentences (Figure 11.7).

Figure 11.5: Average population under sentence of immediate custody by offence; 2009

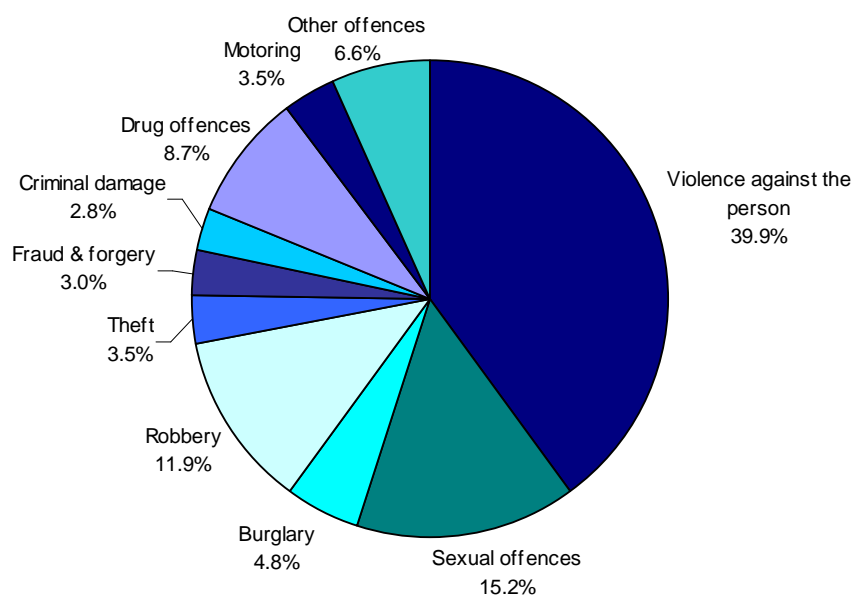


Figure 11.6: Average population under sentence of immediate custody by sentence length; 2009

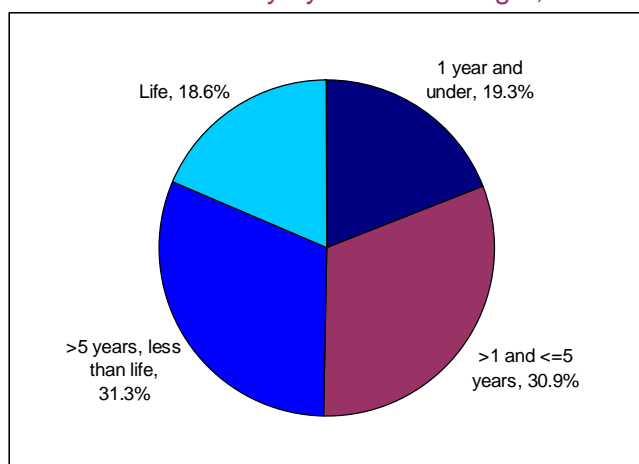
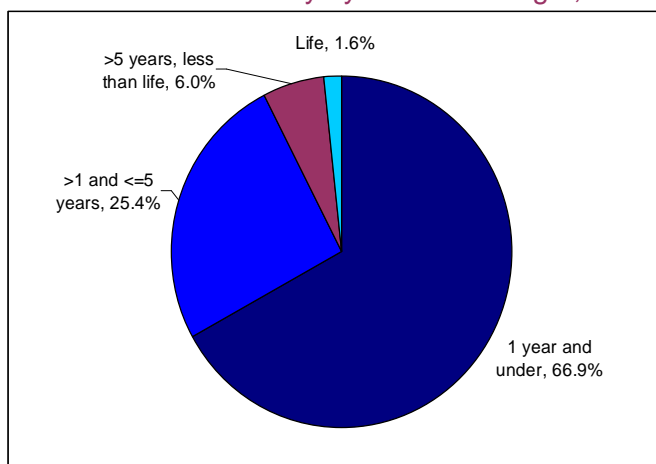


Figure 11.7: Receptions under sentence of immediate custody by sentence length; 2009

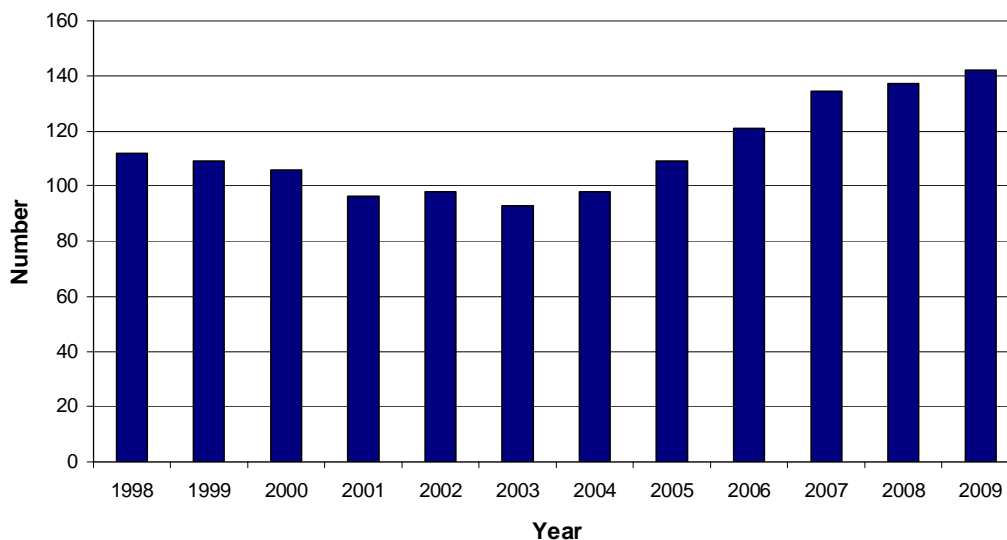


Source: 'The Northern Ireland Prison Population in 2009': DoJ Research and Statistical Bulletin 2/2010

Sexual Offenders

- ◆ Sexual offenders formed 15% of the Northern Ireland average prison population under sentence of immediate custody in 2009. This compares with a low in the last decade of 10% in 1998 and a high of 16% in 2001.
- ◆ The average number of sexual offenders in the immediate custody prison population rose by 4%, from 137 in 2008 to 142 in 2009. The 2009 average was 27% higher than the 1998 average, though the average number has fluctuated over the decade (Figure 11.8).

Figure 11.8: Average prison population convicted of sexual offences under sentence of immediate custody; 1998-2009

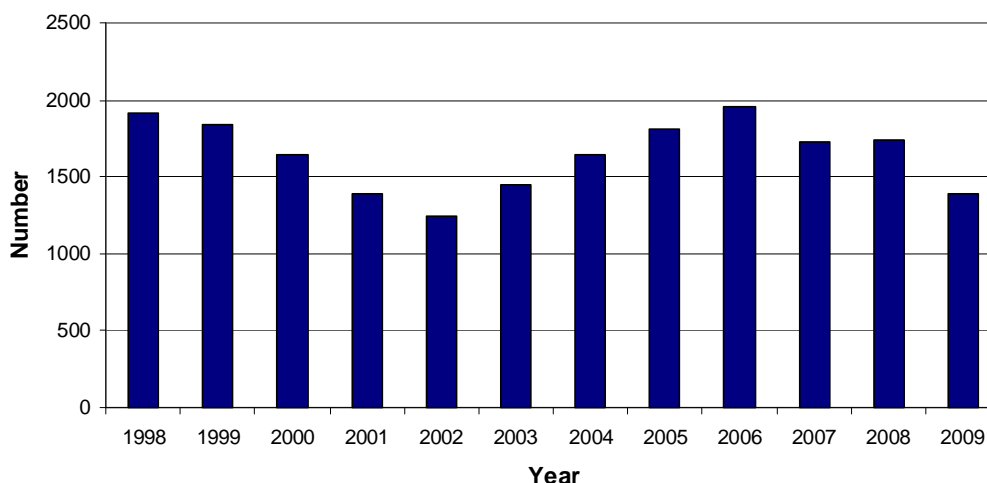


Source: 'The Northern Ireland Prison Population in 2009': DoJ Research and Statistical Bulletin 2/2010

Fine Default

- ◆ Fine defaulters are those who have been given a fine by the courts (strictly a fine or custodial sentence), have not paid that fine within a stipulated time, and have then been the subject of a warrant issued by the court.
- ◆ The maximum amount which the offender is fined is generally set by statute. In the Crown Court the amount is unlimited. It is not a part of the principle of this sentence to fine a wealthy person according to their means, but it is thought desirable for the court to have some knowledge of the financial circumstances of the offender. If an offender does not pay a fine, they may be sent to prison.
- ◆ In 2009, the average time served for fine default was 4 days.
- ◆ Despite constituting a small part of the prison population (average 20 or 1% of total in 2009) the number of fine default receptions is substantial and accounted for 24% of all receptions.
- ◆ The total number of fine default receptions in 2009 (1,394) was 1% higher than that for 2008 (1,742). Fine defaulter receptions have fluctuated over the last decade, reaching a high of 1,951 in 2006 and a low of 1,240 in 2002 (Figure 11.9).

Figure 11.9: Prison receptions for fine default; 1998-2009

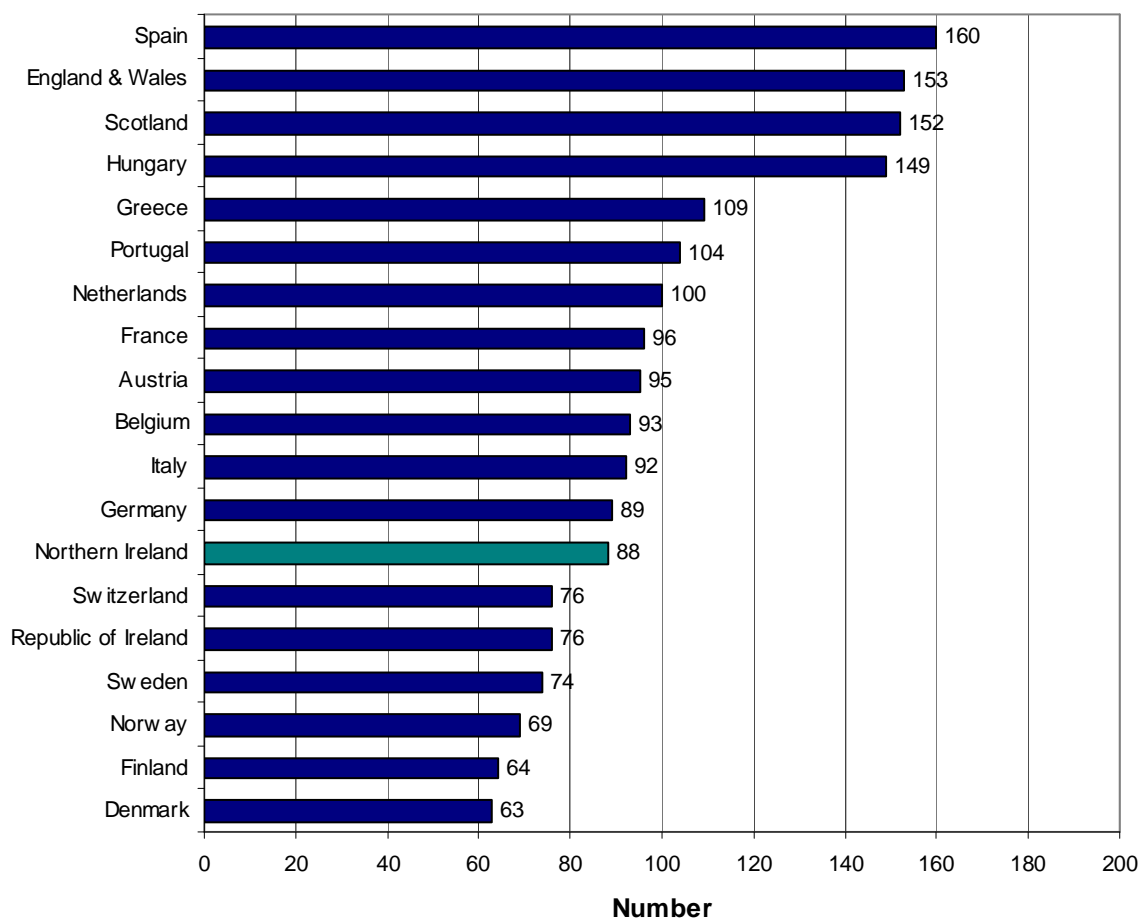


Source: 'The Northern Ireland Prison Population in 2009': DoJ Research and Statistical Bulletin 2/2010

Imprisonment in Northern Ireland and Other Countries

- ◆ The King's College London International Centre for Prison Studies publication, "World Prison Population List (eighth edition)" published in early 2009 indicated that on 24 November 2008, Northern Ireland had 88 prisoners for every 100,000 people in the population. Figure 11.11 shows that on similar dates in England & Wales and Scotland the equivalent figures were 153 and 152 respectively. The rate in the Republic of Ireland was 76 (26 October 2007).
- ◆ Among selected western European countries, Spain (160) had the highest rate of imprisonment per 100,000 population whilst Denmark (63 on 4 September 2008) had the lowest rate. Germany (89 on 31 August 2008) and Italy (92 on 30 June 2008) were two other European countries with a similar rate to Northern Ireland.
- ◆ The USA (756 on 31 December 2007) had the highest rate in the world, followed by the Russian Federation (629 on 1 November 2008).

Figure 11.10: Prisoners per 100,000 population for selected European jurisdictions

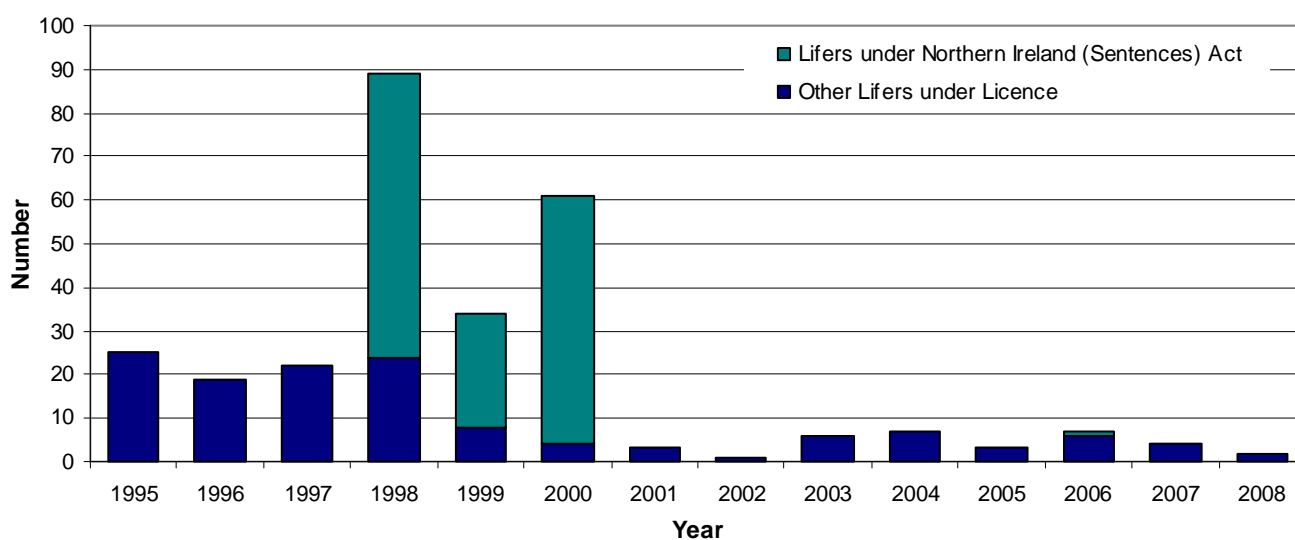


Source: King's College London International Centre for Prison Studies publication, 'World Prison Population List (eighth edition)'

Life¹ Sentence Prisoners Released

- ◆ Under the terms of the Belfast Agreement, the Northern Ireland (Sentences) Act was introduced in July 1998. Prisoners convicted of scheduled offences and attracting a sentence of five years or more became eligible to apply for early release to the Independent Sentence Review Commissioners.
- ◆ In 2008, no life sentence prisoners were released on licence (Northern Ireland (Sentences) Act) (Figure 11.12).
- ◆ Between 1998 and 2008 there were 216 life sentence prisoners released from prison in Northern Ireland. Over two thirds (69%) were released under the terms of the Northern Ireland (Sentences) Act.
- ◆ The total number of life sentence prisoners released in one year peaked at 89 in 1998.

Figure 11.11: Life¹ sentence prisoners released; 1995-2008



Footnote:

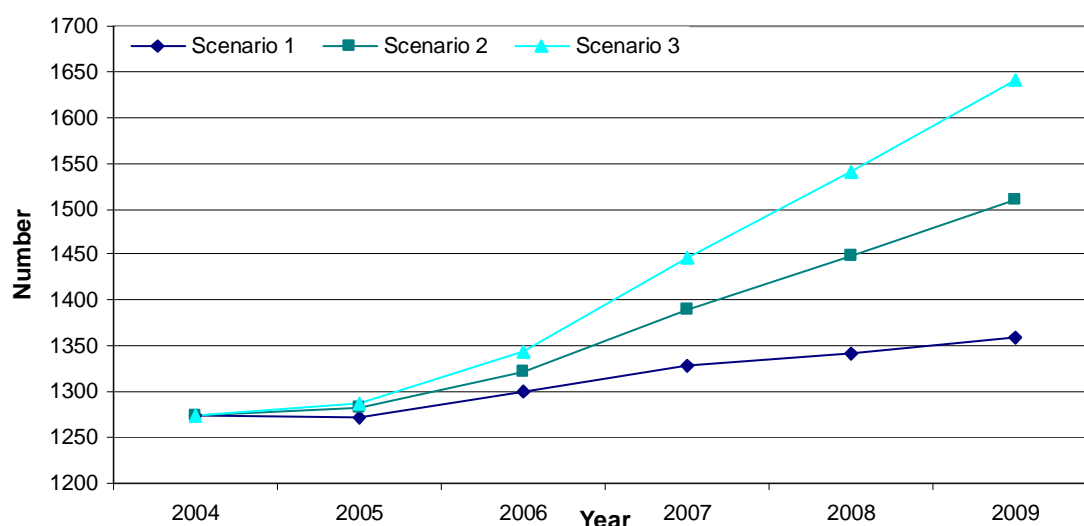
1. Includes those detained at the Secretary of State's pleasure.

Source: Northern Ireland Prison Service

Prison Population Projections 2005 – 2009

- ◆ The most recently published projections for the Northern Ireland prison population cover the 2005-2009 period. Three different scenarios representing possible developments in prisoner numbers over the next five years are offered, in the context of sentencing, prison receptions and custody rates over the last decade (Figure 11.13).
- ◆ **Scenario 1:** The low trend scenario assumes a very modest annual increase in the determinate sentence immediate custody receptions (2% per year from 2006), no change in the average sentence length profile and an initial small increase followed by a gradual decrease in the remand population as a proportion of the overall population. This results in a projected annual average of 1,360 prisoners by 2009.
- ◆ **Scenario 2:** The middle trend scenario assumes a relatively modest annual increase in the determinate immediate custody receptions (3% per year from 2006), a slow increase in the average sentence length profile and an initial small increase followed by a gradual decrease in the remand population as a proportion of the overall population. This results in a projected annual average of 1,509 prisoners by 2009.
- ◆ **Scenario 3:** The high trend scenario assumes an annual increase of 5% for determinate immediate custody receptions and a gradual increase in the sentence length profile of the immediate custody proportion. The scenario also assumes a slight initial decrease in the remand population as a proportion of the overall population, which is then held constant for the rest of the projection period. This results in a projected annual average of 1,641 prisoners by 2009.
- ◆ The basis for these projections is a trend-extrapolative approach. Projections are made by examining trends within sentencing and prison reception data. However the further ahead a series is projected, the greater the scope for departure of the projected trend from the actual trend.
- ◆ The projections presented here are given in the form of an annual average population. The maximum and minimum daily population in any one year will of course deviate from this due to within-year fluctuations.

Figure 11.12: Alternative projection scenarios of the Northern Ireland prison population; 2005-2009



Source: 'Northern Ireland Prison Population Projections 2005-2009': NIO Research and Statistical Bulletin 12/2005

Juvenile Justice Centre

- ◆ The majority of young people aged 10-17 requiring custody are held in Woodlands, the single Juvenile Justice Centre (JJC) for Northern Ireland. All females in this age group, and the majority of males aged 10 – 16 years are held at the JJC. Males aged 17 who require custody can be detained in the JJC, depending on their offending history, otherwise they are held in the Young Offenders Centre (YOC) at Hydebank Wood. In certain circumstances males aged 15 and 16 can also be held in the YOC. The YOC provides custody for males up to the age of 21.
- ◆ Most of the children sentenced to custody in the JJC serve a juvenile justice centre order. A juvenile justice centre order is a two-part order of between 6 months and 2 years, half of which is served in custody and half under supervision in the community.

Admissions into the Juvenile Justice Centre

- ◆ The total numbers admitted into the Juvenile Justice Centre in 2009 increased to 340 from 254 in the previous year (Table 11.2).
- ◆ Of the 340 admissions in 2009, 51% (174) were admitted under the Police and Criminal Evidence Order 1989 (PACE), 44% (119) were admitted directly onto remand and 5% (16) were admitted after sentence.
- ◆ The majority of those admitted into the juvenile justice centre are male; in 2009, 86% of those admitted were male and 14% were female.
- ◆ The largest proportion of those admitted in 2009 were aged 16 (40%). A further 29% were aged 15.

Table 11.2: Admissions to Juvenile Justice Centre by status on admission; 2000-2009¹

Year	PACE	Remand	Sentence	Total
2000	190	126	26	342
2001	180	104	18	312
2002	219	88	15	322
2003	208	63	10	281
2004	181	98	27	306
2005	130	150	26	306
2006	175	133	28	336
2007	159	175	21	355
2008	119	119	16	254
2009 ²	174	149	16	340

Footnotes:

1. This is based on initial admissions to the Juvenile Justice Centre and does not include any internal changes of status, for example, from PACE to remand, remand to sentence etc.
2. The total for 2009 includes one admission on fine default.

Source: The Youth Justice Agency of Northern Ireland.

Average Juvenile Justice Centre Population

- ◆ The total average population in the Juvenile Justice Centre remained at 27 in 2009 (Table 11.3).
- ◆ In 2009, 59% of the average population were held on remand, and 37% were held on sentence.
- ◆ While a large number of young people admitted into the Juvenile Justice Centre are received under PACE, they remain there for, at most, a few days. As a result they have very little impact on the average population made up of those with longer sentences and those on remand.

Table 11.3: Average population of Juvenile Justice Centre; 2000-2009

Year	PACE	Remand	Sentence	Total
2000	1	18	13	32
2001	1	14	14	29
2002	1	18	11	30
2003	1	14	9	23
2004	1	15	8	23
2005	<1	17	9	26
2006	<1	17	8	25
2007	<1	22	9	31
2008	<1	17	9	27
2009	1	16	10	27

Source: The Youth Justice Agency of Northern Ireland.

Chapter 12

Confidence in Policing and the Criminal Justice System

Confidence in the Police and Police Accountability Arrangements

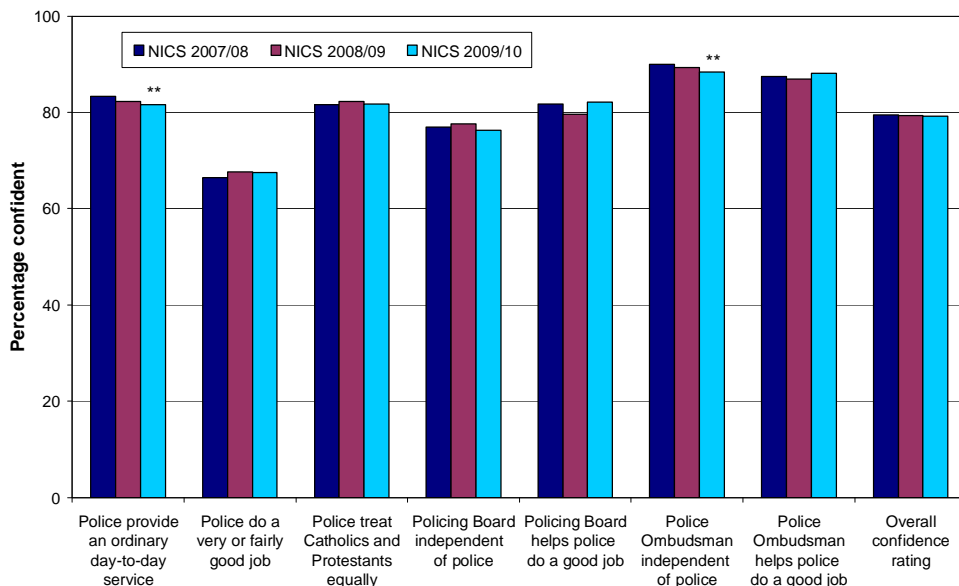
Confidence in Community Engagement by the Local Police and Partnership Agencies

Confidence in the Fairness and Effectiveness of the Criminal Justice System

Confidence in the Police and Police Accountability Arrangements

- ◆ Public confidence in the police and police accountability arrangements (referred to collectively as 'policing') is measured through the Northern Ireland Crime Survey (NICS), with the aim of achieving a statistically significant increase in the level of confidence in policing in Northern Ireland by March 2011, from a composite baseline of 79.4% (in 2007/08).
- ◆ The indicator is based on a weighted composite measure¹, consisting of a suite of seven indicators, eliciting views on the fairness and effectiveness of the police and police accountability arrangements in terms of:
 1. the ability of the police to provide an ordinary day-to-day policing service;
 2. how good a job the police are doing;
 3. whether the police treat Catholics and Protestants equally;
 4. whether the Policing Board is part of the police or independent of the police;
 5. whether the Policing Board helps ensure that the police do a good job;
 6. whether the Police Ombudsman is part of the police or independent of the police; and
 7. whether the Police Ombudsman helps ensure that the police do a good job.
- ◆ This same methodology was deployed as part of the 2004 Public Service Agreement (PSA), the final outcome of which saw confidence increase by six percentage points from 73% in 2003/04 to 79% in 2007/08.
- ◆ Findings from NICS 2009/10 suggest that the proportions of respondents who believe that the police provide an ordinary day-to-day service and that the Police Ombudsman is independent of the police have fallen since baseline, from 83.4% to 81.5% and 90.0% to 88.3% respectively. All other indicators show no statistically significant change ($p < 0.05$) since baseline, with the overall confidence rating remaining stable at 79.2% (Figure 12.1).

Figure 12.1: Confidence in the police and police accountability arrangements²



Footnotes:

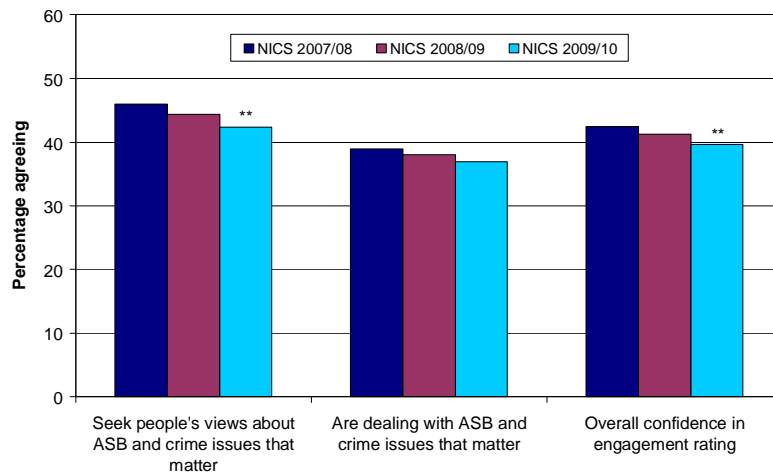
1. For more information refer to NIO Research and Statistical Bulletin 1/2010.
2. **** denotes statistically significant change at the five per cent level ($p < 0.05$) compared with baseline.

Source: Northern Ireland Crime Survey.

Confidence in Community Engagement by the Local Police and Partnership Agencies¹

- ◆ Public confidence in the local police and other agencies working in partnership to tackle anti-social behaviour (ASB) and crime issues (hereafter referred to as ‘engagement’) is measured through the Northern Ireland Crime Survey (NICS), with the aim of achieving a statistically significant increase in the level of engagement with local communities by March 2011, from a baseline of 42.4% (in NICS 2007/08).
- ◆ For the purpose of this indicator, an unweighted composite measure has been constructed based on the proportion of respondents who ‘strongly agree’ or ‘tend to agree’ that the local police and other agencies:
 - seek people’s views about ASB and crime issues that matter in this area; and
 - are dealing with the ASB and crime issues that matter in this area.
- ◆ Under half (42.3%) of NICS 2009/10 respondents agreed that the local police and other agencies seek people’s views about the ASB and crime issues that matter in their area, down from 46.0% in 2007/08 (Figure 12.2). This compares with 47.0% in England and Wales (BCS 2009/10).
- ◆ The apparent decrease in the proportion of NICS respondents who agree that the local police and other agencies are dealing with the ASB and crime issues that matter (from 38.9% in 2007/08 to 37.0% in 2009/10) is not statistically significant ($p < 0.05$) (Figure 12.2). The comparative figure in England and Wales is 51.3% (BCS 2009/10).
- ◆ Findings from NICS 2009/10 indicate that, at 39.7%, overall confidence in engagement has fallen since 2007/08 (42.4%) and is now almost 10 percentage points lower than the equivalent figure in England and Wales² (49.2%; BCS 2009/10) (Figure 12.2).

Figure 12.2: Confidence in community engagement by the local police and other agencies (%) in Northern Ireland³



Footnotes:

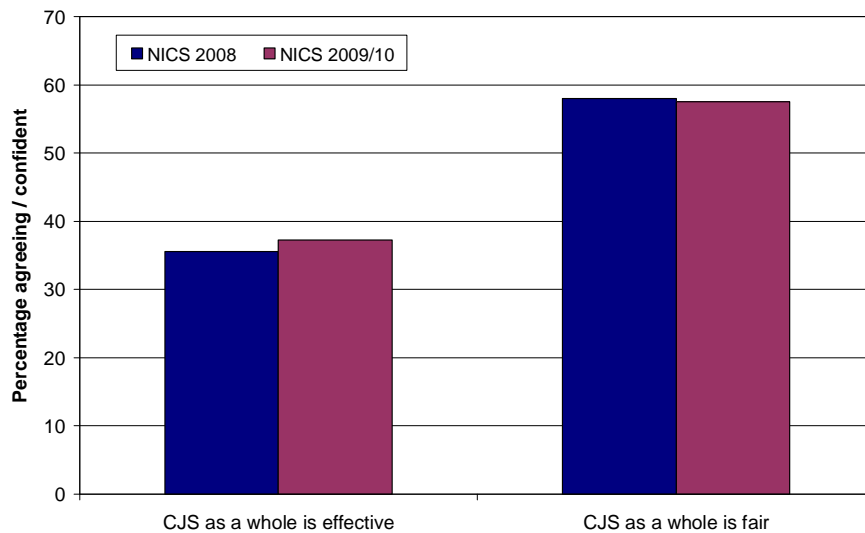
1. NICS refers specifically to ‘the police and other agencies, including district councils’. BCS refers to ‘the police and local councils’, although ‘other agencies’ are referred to in an introductory paragraph.
2. The overall confidence in engagement rating has not been adopted in England and Wales and is calculated for comparison purposes only.
3. ‘***’ denotes statistically significant change at the five per cent level ($p < 0.05$) compared with baseline.

Source: Northern Ireland Crime Survey.

Confidence in the Fairness and Effectiveness of the Criminal Justice System

- ◆ Public confidence in both the fairness and effectiveness of the criminal justice system (CJS) is measured through two separate, single questions contained within the Northern Ireland Crime Survey (NICS). Both questions are preceded by a series of “lead-in” questions on the fairness and effectiveness of various aspects of the CJS, designed to encourage a considered response.
- ◆ As with confidence in policing and engagement (see previous pages) the aim is to achieve statistically significant increases in the levels of confidence by March 2011, from NICS 2008 baselines of 35.6% (effective) and 58.0% (fair).
- ◆ This approach replaces that used to measure confidence in the CJS as part of the SR 2004 PSA, in which responses to six separate questions were used to construct a six-strand composite measure (French, 2008).
- ◆ An individual NICS 2009/10 bulletin, presenting findings on confidence in the CJS, including results of the “lead-in” questions, will publish separately (Freel and Toner, forthcoming).
- ◆ Based on interviews conducted during NICS 2009/10, findings indicate that the proportion of respondents who were confident that the CJS as a whole is effective (37.3%) and fair (57.6%), show no statistically significant change ($p < 0.05$) to those observed at baseline (35.6% and 58.0% respectively) (Figure 12.3).
- ◆ NICS 2009/10 respondents remained more likely to think the CJS as a whole is fair (57.6%) than effective (37.3%; Figure 12.3) - a trend that is reflected in England and Wales (59.4% and 40.7% respectively; BCS 2009/10).

Figure 12.3: Confidence in the fairness and effectiveness of the criminal justice system (%)



Source: Northern Ireland Crime Survey.

Chapter 13

Department of Justice

Human Resources and Expenditure

Police Service of Northern Ireland

Northern Ireland Policing Board

Office of the Police Ombudsman for Northern Ireland (OPONI)

Probation Board for Northern Ireland

Compensation Agency

Northern Ireland Courts and Tribunals Service

Youth Justice Agency

Forensic Science Northern Ireland

Northern Ireland Prison Service

The Department of Justice

When policing and justice functions in Northern Ireland were devolved to the Northern Ireland Assembly on 12 April 2010, the Department of Justice was established as a new Northern Ireland Department by the Department of Justice (NI) Act 2010.

There are four 'arms length bodies' (Police Service of Northern Ireland, NI Policing Board, Police Ombudsman and the Probation Board) as well as five agencies (Compensation Agency, NI Courts and Tribunals Service, Youth Justice Agency, Forensic Science NI and NI Prison Service) that fall under the control of the Department. Responsibility for the Public Prosecution Service and the Crown Solicitor's Office were retained by the Northern Ireland Office, which remains answerable directly to Westminster.

A breakdown of the budget for the current year is given below

DOJ Core*	£58.8m
Forensic Science NI	£1.5m
Compensation Agency	£17.2m
NI Prison Service	£131.9m
Youth Justice Agency	£21.9m
Court Service**	£145.3m
Police Service Northern Ireland	£1,050.7m
PONI	£9.5m
Probation Board NI	£19.8m
NI Policing Board	£8.8m
TOTAL	£1,465.4m

*DOJ Core includes Justice Delivery Directorate, Justice Policy Directorate and Policing & Community Safety

**Court Service includes Legal Services Commission (£85.0m) and Criminal Justice Inspectorate (£1.5m)

1 - Police Service of Northern Ireland

- ◆ The total number of police officers has fallen by 35% from 13,037 in 1993 to 8,259 in August 2010. The largest fall, 12%, occurred between 2000 (11,920 officers) and 2001 (10,437) (Table 13.1). This decrease reflects the implementation of recommendation 105 of the Report by the Independent Commission on Policing (the Patten Report), which was published in September 1999. The Independent Commission projected that by 2007 the Police Service should achieve the goal of 7,500 regular police officers. As reported by the Policing Board, the Police Service achieved this goal by March 2004.
- ◆ The number of regular police increased by 1.3%, from 7,149 in 2001 to 7,239 in August 2010.
- ◆ The number of full-time reserve officers has fallen to 336 in August 2010 (from 1,419 in 2004). Under recommendation 103 of the Patten Report, the government accepted that the full-time reserve (FTR) would be phased out and in June 2009 it was announced that this phase out would be complete by March 2011. However, as part of the overall policing strategy to provide further operational resilience as the PSNI continues its drive to release officers from back-office functions to front line delivery, the Chief Constable announced on 17 May 2010 that he was retaining the remaining 225 FTR officers on operational duty until March 2011. This move will also provide additional support to the increased operational work to disrupt the activities of criminal terrorists. The remaining FTR will enter their re-training period after 31 March 2011, and there will be no FTR on operational duty after this date.

- ◆ The number of part-time reserve officers fell steadily to 870 in 2003, then increased by 6% to 919 in 2004 before falling again to 684 in August 2010. Under recommendation 104 of the Patten Report the government accepted that the part-time reserve should be enlarged with up to 2,500 officers. There have been 2 recruitment campaigns for police officers part time (POPT). In February 2006 the Northern Ireland Policing Board decided to replace the planned extension of the part-time service with the introduction of police community support officers (PCSOs). The CSR settlement provides the opportunity to proceed with the introduction of PCSOs during the CSR07 period. It will be a matter for the Chief Constable and the Policing Board to determine the timing for this, taking into account the priorities they have set.
- ◆ Since the first recruitment competition to the PSNI in March 2001, there have been 3,995 recruits appointed and the proportion of Catholics in the PSNI regular force has increased from just over 8% (at the time of the Patten Report) to 29.27 % at 27 August 2010. This is in accordance with recommendations 120 and 121 of the Patten Report, from which recruitment to the PSNI is on a 50% Catholic, 50% non-Catholic basis. Current projections indicate steady progress towards the target of 30% Catholic composition by 2010/11.
- ◆ In August 2010, there were 4 full-time regular officers per 1,000 population in Northern Ireland. Statistics published by the Home Office, on police service strengths in England and Wales state that the average number of police officers is 3 per 1,000 population.

Table 13.1: Police staffing levels; 1993 – 2009

Year	Regular	Full Time Reserve	Part Time Reserve	Total	Civilian Support
1993	8,464	3,184	1,389	13,037	2,421
1994	8,493	3,199	1,491	13,183	2,466
1995	8,415	3,101	1,584	13,100	2,498
1996	8,423	2,929	1,473	12,825	2,471
1997	8,485	2,982	1,324	12,791	2,930 ²
1998	8,456	2,936	1,238	12,630	3,035 ²
1999	8,445	2,719	1,174	12,338	2,916 ²
2000	8,268	2,555	1,097	11,920	3,125
2001	7,149	2,256	1,032	10,437	3,293
2002	7,129	1,862	952	9,943	3,322
2003	7,303	1,646	870	9,819	3,656
2004	7,502	1,419	919	9,840	3,351
2005	7,503	1,060	854	9,417	2,995
2006	7,549	790	792	9,131	2,732
2007	7,412	673	871	8,956	2,649
2008	7,399	563	804	8,766	2,519
2009	7,316	391	713	8,420	2,457
2010	7,239	336	684	8,259	2,411

2 - Northern Ireland Policing Board

- ◆ The Northern Ireland Policing Board is an independent public body whose job it is to oversee policing in Northern Ireland. The Board was established as an executive Non-Departmental Public Body (NDPB) of the Northern Ireland Office (NIO) in 2001 by the Police (Northern Ireland) Act 2000, as amended by the Police (NI) Act 2003 and replaced the Police Authority for Northern Ireland. The Policing Board is not controlled by Government and has strong independent powers to carry out its work. The Policing Board consists of 19 members; 10 are members of the Northern Ireland Assembly appointed by their political parties and 9 are independent members appointed by the Secretary of State. The Policing Board was reconstituted on 1st April 2006 and again on 22 May 2007.

- ◆ The main role of the Policing Board is to ensure that the Police Service of Northern Ireland is effective, efficient, accountable and impartial, and, to hold the Chief Constable to account for his actions and those of his staff. This means that the Chief Constable must answer to the Policing Board on any aspect of policing in Northern Ireland. The Board is also responsible for negotiating the annual policing grant and reporting on how money is spent.
- ◆ When policing and justice functions in Northern Ireland were devolved to the Northern Ireland Assembly on 12 April 2010, the Department of Justice was established as a new Northern Ireland Department by the Department of Justice Act (NI) 2010. From this date, the Board became a NDPB of the Department of Justice.
- ◆ At March 2010, the staff of the Northern Ireland Policing Board comprised of 38 seconded civil servants from the Northern Ireland Civil Service and 23 direct recruits appointed following public advertisement.
- ◆ The Board's actual expenditure in 2009/10 is detailed below:

Salaries	£2.76m
DPPs	£2.88m
Additional Security	£0.01m
Other	£2.52m
TOTAL	£8.17m

3 – Office of the Police Ombudsman for Northern Ireland (OPONI)

- ◆ The Police Ombudsman for Northern Ireland was established under the Police (NI) Act 1998. When policing and justice functions in Northern Ireland were devolved to the Northern Ireland Assembly on 12 April 2010, the Department of Justice was established as a new Northern Ireland Department by the Department of Justice Act (NI) 2010. From this date the Office of the Police Ombudsman for Northern Ireland became an NDPB of the Department of Justice.
- ◆ The Office of the Police Ombudsman for Northern Ireland provides an independent impartial police complaints system for the people and the police of Northern Ireland.
- ◆ Staff costs for 2009/10 were £6.1m and the total average number of people employed was 150, up from 147 in 2008/09.

4 - Probation Board for Northern Ireland

- ◆ The Probation Board became a Non Departmental Public Body (NDPB) of the Department of Justice following devolution in April 2010.
- ◆ The main activities of the Probation Board are the supply of information to the courts through Pre-Sentence Reports, the supervision of Probation Orders, Community Service Orders, Custody Probation Orders, Combination Orders, and those released on licence after serving a period in custody. The Probation Board also supervise offenders given public protection sentences, Determinate Custodial Sentences, sex offenders released on licence and the provision of social welfare services to prisoners and their families and assistance with resettlement after release. Community initiatives in the prevention of offending are encouraged and supported.
- ◆ At the end of March 2010, the Probation Board was supervising 4,298 offenders, compared to 4,042 at 31 March 2009, an increase of 6%. At the end of March 2010, these people were subject to a total of 4,584 orders (4,306 at 31 March 2009).

- ◆ Staff costs for 2009/10 were £14.3m, including Board Members Remuneration and expenses. There was 398 staff employed by the Probation Board in 2009/10, of which 280 were Probation staff and 118 were Admin staff.

5 - Compensation Agency

- ◆ The Compensation Agency was established in 1992 as an Agency of the Northern Ireland Office. On 12 April 2010, policing and justice functions in Northern Ireland were devolved to the NI Assembly and the Department of Justice came into existence. From this date, the lead policy responsibility for the Agency transferred from the Northern Ireland Office to the Department of Justice.
- ◆ The Agency's aim is 'To support victims of violent crime and people who have suffered loss from action taken under the Terrorism Act 2000, by ensuring that they are appropriately compensated in accordance with the relevant statutory schemes.'
- ◆ Staff costs at the Compensation Agency in 2009/10 were £2.1m and there were 70 staff directly employed.

6 - Northern Ireland Courts and Tribunals Service

- ◆ The Northern Ireland Court Service, which was formerly the Lord Chancellor's Department in Northern Ireland, became the Northern Ireland Courts and Tribunals Service (NICTS) on 12 April 2010 with the transfer of responsibility for policing and justice to the Northern Ireland Assembly. The Northern Ireland Courts and Tribunals Service is now an Agency of the Northern Ireland Department of Justice.
- ◆ The NICTS provides a new unified administration for courts and tribunals. NICTS role is to:
 - Provide administrative support for all of Northern Ireland's courts, i.e. the Court of Appeal, High Court, Crown Court, County Courts, Magistrates' Courts and Coroner's Courts;
 - Provide administrative support for tribunals;
 - Enforce civil court judgements through the Enforcement of Judgements Office; and
 - Sponsor the work of the Northern Ireland Legal Services Commission.
- ◆ In terms of structure, there are 21 court centres across Northern Ireland, the largest being Laganside Courts and the Royal Courts of Justice in Belfast, and five tribunal hearing centres.
- ◆ The NICTS staff complement at the end of March 2010 was 799 posts, the majority of which are in front line services at courthouses throughout Northern Ireland and in the Enforcement of Judgements Office. This number will increase during 2010/11 to almost 1000 staff when the remaining tribunals transfer.
- ◆ Staff costs in 2009/10 were £23.9m and the net operating cost was £162.3m.
- ◆ Volumes during 2009/10

	Cases Received	Cases disposed of
Criminal	58,229	57,319
Civil	26,840	30,250
Family	7,447	6,104
Tribunals	2,297	2,331

7 - Youth Justice Agency

- ◆ The Youth Justice Agency was established as an Executive Agency, as recommended in the Criminal Justice Review, on 1 April 2003. It was established to take on the range of responsibilities which, up to that date, had fallen to the Juvenile Justice Board (a Non-Departmental Public Body), and to introduce a Youth Conferencing Service. On 12 April 2010 policing and justice functions in Northern Ireland were devolved to the Northern Ireland Assembly and the Department of Justice came into existence as a new Northern Ireland Department. From this date, the lead policy responsibility for the Youth Justice Agency transferred from the Northern Ireland Office to the Department of Justice.
- ◆ The overall aim of the Youth Justice Agency is to reduce youth crime and to build confidence in the youth justice system.
- ◆ The net cost of operations for the year ended 31 March 2010 was £23.5m (compared to £21.5m in 2008/09).
- ◆ Staff costs for 2009/10 were £13.7m and the average number of people employed was 385.

8 - Forensic Science Northern Ireland

- ◆ Forensic Science Northern Ireland (FSNI) is an Agency within the Department of Justice and currently employs approximately 200 staff, all civil servants, of whom roughly 65% are scientists directly involved with casework.
- ◆ FSNI's principal customer is the PSNI for whom FSNI provides a comprehensive, integrated service of forensic advice and scientific expertise. Support is also given to the Police Ombudsman for Northern Ireland, the State Pathologist and other investigative authorities
- ◆ The Agency's prime role is to provide objective, independent scientific advice to support the Courts.

9 - Northern Ireland Prison Service

- ◆ The Northern Ireland Prison Service became an executive agency of the Department of Justice on 12th April 2010 when policing and justice powers were devolved to the Northern Ireland Assembly.
- ◆ The Northern Ireland Prison Service, through its staff, serves the community by keeping in secure, safe and humane custody those committed by the courts, by working with prisoners and other organisations seeks to reduce the risk of re-offending and, in so doing, aims to protect the public and to contribute to peace and stability in Northern Ireland.
- ◆ The average number of people employed by the Northern Ireland Prison Service increased from 2,305 in 2008/09 to 2,367 in 2009/10.
- ◆ Total staff costs for the financial year 2009/10 were £90,492,000.
- ◆ Staff costs represent almost 65% of the Operating Costs for the year 2009/10 of £140,058,000.
- ◆ The actual Cost per Prisoner Place in Northern Ireland over 2009/10 was £77,831. This is below the target of £78,750.

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Appendix A

Glossary

A brief description of some of the main terms used in the Digest is given below.

Offences

Notifiable offences recorded by the police

These are crimes that are either reported to the police, discovered by the police or asked to be 'taken into consideration' by an offender and are included in a Home Office list of notifiable offences to be recorded for statistical purposes. All indictable and triable-either-way offences are included, together with certain closely associated summary offences (see section on 'offences within courts – groupings').

Offences cleared by the police

Clearances are, broadly speaking, those crimes that have been 'cleared up' by the police.

The following methods of clearance involve a formal sanction:

Charging or issuing a summons to an offender;

Issuing a caution to the offender;

Having the offence accepted for consideration in court;

The offender is a juvenile who is dealt with by means of an informed warning or restorative caution.

As at 31st March 2007, offences not involving a formal sanction but still regarded as 'cleared up' are those where the police take no further action for the following reasons:

Offender, victim or essential witness is dead or too ill;

Victim refuses or is unable to give evidence;

Offender is under the age of criminal responsibility;

Police or Public Prosecution Service (PPS) decides that no useful purpose would be served by proceeding;

Time limit of six months for commencing prosecution has been exceeded.

Violent offences

Violent crime comprises three main offence groupings: violence against the person, sexual offences and robbery. What violent crime offences have in common is that they involve actual violence or the threat of violence. The degree of violence varies considerably, even between incidents in the same classification. The large majority of incidents categorised as violent crime do not actually involve any significant injury to the victim, although some of the crimes not resulting in injury may still be traumatic for their victims e.g. threats to kill.

Property offences

This grouping includes burglary, theft, criminal damage and fraud and forgery.

Acquisitive offences

This term groups together the offence classes of burglary, theft and fraud and forgery.

Robbery

The use or threat of force against a person either during or immediately prior to a theft or attempted theft. This would supersede theft or burglary as the principal offence.

Burglary

The entering / attempted entering of a building (or connected outhouse or garage), as a trespasser with the intention of committing theft, rape, grievous bodily harm or unlawful damage. Burglary does not necessarily involve forced entry; it may be through an open window, or by entering the property under false pretences. An aggravated burglary is one where a weapon or explosive is carried but force is not used or threatened.

Theft

The dishonest appropriation of another's property with the intention of permanently depriving the owner of it. This would include thefts committed inside a dwelling by someone who is entitled to be there and who does not use or threaten force.

Criminal damage

The unlawful destruction or damage of property belonging to another, the intention to destroy or damage such property or being reckless as to whether such property would be destroyed or damaged.

Domestic incidents

Any incident of threatening behaviour, violence, or abuse (psychological, physical, sexual, financial or emotional) by one family member against another or adults who are or have been intimate partners, regardless of gender, and whether a crime has occurred or not, will be recorded as domestic. Not all domestic incidents will result in the recording of a crime.

Racist or homophobic incidents

Any incident reported to the police that appears to the victim or any other person to be a racist or homophobic incident. This could range from a violent crime to verbal abuse and would not necessarily result in an offence being recorded by the police.

Scheduled offences

In 1973 a special procedure was initiated in Northern Ireland for dealing with serious offences relating to terrorism, based on recommendations of a Commission under Lord Diplock. The majority of these offences were tried in the Crown Court on indictment but they were tried under procedures and rules of evidence which were modified. The most important difference was that they were tried by a judge without a jury, the judge alone deciding all issues of fact as well as law, and passing sentence after conviction. The offences triable in this way were listed in Schedule 9 to the Terrorism Act 2000 and are referred to as 'scheduled' offences. The special non-jury Crown Courts were often referred to as 'Diplock' courts. Under the Justice and Security (Northern Ireland) Act 2007 the Diplock (non jury) courts were abolished in 2007.

Courts

Court of Appeal

The Court of Appeal is divided into civil and criminal. It hears appeals from decisions in the High Court and against convictions or sentences passed by the Crown Court.

High Court and County Court

Civil justice is administered mainly by the county courts and the High Court. County courts deal with cases of lesser value, substance, and complexity while the High Court handles more substantial or complex cases.

Crown Court

Some defendants are committed for trial to the Crown Court. A trial in the Crown Court is known as a trial on indictment. Trials are held before a judge and jury. If the defendant is found guilty, the judge passes sentence. The sentences available to a judge in the Crown Court are much more wide-ranging than in a magistrates' court.

Magistrates' courts

The lower courts handle summary offences and triable-either-way offences not committed for trial. The trial takes place before a District Judge (Magistrates court) sitting alone (there is no jury). The District Judge (Magistrates court) decides issues of law and fact, and, on conviction, passes sentence.

Youth court

The youth court is a special magistrates' court constituted to deal with proceedings against juveniles from the ages of 10 and 17. Proceedings are less formal than the adult magistrates' courts and are held in private. It consists of a bench of three members, including at least one woman.

Offences within Courts – Groupings

Indictable only offences

Offences for which an adult defendant must be tried at the Crown Court, for example robbery, arson and rape. In this Digest, for simplicity such offences are combined with triable-either-way offences under the general title of indictable offences.

Triable-either-way offences

For a number of offences, there is a choice about where a case will be heard. In some cases, it is up to the prosecution to decide, depending on the seriousness of the actual offence. In other cases, offences which are normally tried on indictment may be tried in a magistrates' court if all parties consent.

Summary offences

These are relatively minor offences, including many road traffic offences, and must be heard in a magistrates' court.

Sentences Available to the Court

Immediate custody

The term collectively refers to detention in prison, young offenders centre, juvenile justice centre (which replaced training schools on 31st January 1999), and custody probation.

Imprisonment

Imprisonment is the most severe penalty ordinarily available to the courts. The length of a term of imprisonment is determined either by statute or by a judge or magistrate in a common law case. It can

vary from a few days to life, which is mandatory for a person convicted of murder. Imprisonment is a sentence mostly confined to persons aged 21 and over but there is provision for detention of persons under 21 in a prison where the circumstances warrant it.

Custody probation order

This is an order unique to Northern Ireland, reflecting the different regime which applies in respect of remission and the general absence of release on licence. They are only available where a period in custody of over 12 months would otherwise be justified. The custodial sentence is followed by a period of supervision by a probation officer for a period of between twelve months and three years. Such an order cannot be made unless the offender consents.

Young offenders centre

Detention in the young offenders centre is instead of imprisonment for persons aged not less than 16 years but under 21 years who have been convicted of an offence which is punishable with imprisonment in the case of a person of at least 21 years of age. The maximum term is four years.

Juvenile justice centre order

This order was introduced on 31st January 1999 under the Criminal Justice (Children) (Northern Ireland) Order 1998, to replace the training school order. It is available for children under the age of 17 and is for a period of six months unless the court specifies a longer period not exceeding two years. The period of detention is for one half of the period of the order, with the remainder comprising a period of close supervision in the community.

Training school order

Training schools were replaced by juvenile justice centres on 31st January 1999. They were residential establishments approved under section 137 of the Children and Young Persons Act (Northern Ireland) 1968 for the reception and training of children and young persons. They were also registered as remand homes.

Indeterminate custodial sentence

If an offender has been convicted of a serious sexual or violent offence specified in Schedule 1 of the Criminal Justice Order 2008 and has been assessed as dangerous¹, he/she will receive either a discretionary life sentence, an Indeterminate Custodial Sentence (ICS), or an Extended Custodial Sentence (ECS). If a life sentence is not available or the court considers such a sentence is not justified, the court will consider the imposition of an ICS. The offender will only receive an ICS if the court considers that an ECS would not be adequate to protect the public from serious harm. When imposing an ICS the court will specify a minimum term or tariff which the offender is required to serve in custody before becoming eligible for release. The tariff must be at least two years. Release will be discretionary and determined by the Parole Commissioners on the basis of stringent risk assessment. If necessary, the offender could be detained indefinitely. If released, the offender will be subject to licence conditions for at least 10 years but for longer if necessary. Breach of conditions could lead to immediate recall to custody.

Extended Custodial Sentences

Where a dangerous offender has been convicted of a sexual or violent offence specified in Schedule 2 of the Criminal Justice Order 2008, and the case is not one in which the court is required to impose a life sentence or an ICS, the court will impose an ECS. This sentence will be a determinate sentence with a custodial part of at least one year. In addition to the custodial part, courts will set extended supervision periods of up to five years for violent offenders and up to eight years for sexual offenders. Offenders will become eligible for consideration for release at the half way point of the custodial part. Release will be on the direction of the Parole Commissioners and will be on the basis of stringent risk assessment. The

offender could, if necessary, be detained until the end of the custodial part of the sentence. Once released, the offender will be subject to licence conditions for an extended period. Breach of conditions could lead to immediate recall to custody. If recalled the offender could be detained for the remainder of the custodial part plus the extended supervision period.

Footnote:

1. Dangerousness is assessed as whether there is a significant risk of serious harm to members of the public. Serious harm means death or serious personal injury whether physical or psychological. Dangerousness assessments will be based on reports specifically prepared for that purpose by specialists including probation officers, psychiatrists or psychologists.

Suspended sentence

When an offence is serious enough to justify a prison sentence, the court may in certain circumstances suspend the sentence for between one and five years, depending on the seriousness of the offence. If, during the period of suspension, the offender commits a further offence for which he or she could be sent to prison, the court may order that the original sentence, or part of it, is to be served.

Community service order

This order requires the offender to do unpaid work in the community. It can be given to someone aged 16 or over convicted of an imprisonable offence if the offender consents and may be between 40 and 240 hours duration.

Probation order

The probation period may last for a period of between 6 months to 3 years. It puts the offender under the supervision of a probation officer for that period, during which probation personnel act as a source of guidance to avoid re-offending. The order may have extra requirements, for example, treatment for alcohol, or anger management. Offender consent is required.

Combination order

Article 15 of the Criminal Justice (NI) Order 1996 introduced the combination order. It is a mixture of a probation order and a community service order, and is intended for offenders who the courts believe should make some reparation to the community and who need probation supervision to reduce the risk of re-offending in the future. The order requires the offender to be under the supervision of a probation officer for a period of between twelve months to three years and to perform unpaid work in the community for between forty and one hundred hours.

Attendance centre order

An attendance centre order requires an offender, aged under 18, to attend a designated attendance centre and undertake a structured programme of activities. The order should not be less than 12 hours and no more than 24 hours. The times at which the offender attends the centre should avoid interference, so far as practicable, with school hours or working hours.

Youth conference order

Youth conferencing aims to balance the needs of the victim and the young offender by agreeing plans of action which satisfy the victim and create opportunities for the young person to make amends and stop committing crime. A referral to the Youth Conference Service can be made either by diversion via the new public prosecution service, or at court at the point of sentencing. In either case the child must admit the offence and be willing to take part in the conference. The conference agrees a plan for the child to complete comprising of various elements relevant to the child, the impact of the offence and their offending behaviour. The period of the plan must not be more than one year. A plan resulting from a

court-ordered conference, subsequently agreed by the court, will form the basis of a youth conference order.

Reparation order

The order requires the offender to make reparation either to the victim of the offence or some other person affected by it, or to the community at large. The order may currently be made only where the offender is under the age of 18 years. An order must not require the offender to make reparation for more than 24 hours or to make reparation to any person without their consent. Forms which reparation might take could be, for example, repairing property which has been damaged or removing graffiti.

Community responsibility order

The order is a form of community service which may be imposed on a child, currently under the age of 18, and combines a specified number of hours to be spent on practical activities and instruction on citizenship. The aggregate number of hours specified in the order must not be less than 20 and not more than 40. In addition, the number of hours spent on instruction in citizenship must not be less than one half of the aggregate number of hours in the order.

Supervision order

Supervision orders were abolished with the introduction of the Criminal Justice (Children) (NI) Order 1998. The order had many of the characteristics of a probation order except that it was available for persons under the age of 17.

Fine

This is a financial punishment, the maximum level of which is generally set by statute. In the Crown Court the amount is unlimited. It is not a part of the principle of this sentence to fine a wealthy person according to their means; rather, the court must inquire into the financial circumstances of the offender, for the purposes of increasing or reducing the amount of the fine.

Penalty points (Road Traffic offences)

The purpose of this system is to encourage the court to impose periods of disqualification on offenders who are guilty of a number of relatively minor road traffic offences in their own right. While the courts always had, and retain, the power to impose disqualification where the offender repeatedly came before the court for driving offences, Article 40 of the Road Traffic Offenders (NI) Order 1996 imposes an obligation to impose disqualification where the offender accumulates 12 penalty points within 3 years.

Recognisance

A recognisance is a solemn undertaking whereby a person binds himself to the performance of an obligation, for example to be of good behaviour, and acknowledges his indebtedness to pay a sum to the Crown in the event of breach of that undertaking. There are a variety of forms of recognisance, existing at common law and under statute, usually termed 'binding over', and the various forms of recognisance can be thought of as having the effect of a suspended fine.

Conditional discharge

This order imposes a condition upon the offender that he or she commits no further offence for a specified period up to three years. If the condition is broken, the person may be dealt with for the earlier and the current offence.

Absolute discharge

This may be imposed where following conviction punishment is considered inappropriate. The offender while found guilty is not further liable for the offence.

Deferred sentence

After conviction, a person may have the sentence deferred for a period of up to six months. Sentence is passed after changes (if any) in the circumstances of the case have been assessed. For example, the offender may have made some form of reparation.

Imprisonment

Prisoners may either be:

Remanded

Remanded in custody either awaiting trial or sentence.

Sentenced

Held in custody as a result of a sentence of criminal court. Persons committed in default of a payment of a fine, compensation order or costs, are normally included in this group.

Non-criminal

Held for civil offences.

Early release - Remission

Remission is the cancellation of part of a term of imprisonment resulting from the good behaviour of the offender while in prison. To be eligible for remission, a prisoner must be serving a sentence of imprisonment for an actual term of more than five days and be of 'good conduct'. Remission is not available where the prisoner is serving a life sentence (see 'Tariff'). The maximum remission granted may be no more than one half of the total pronounced sentence.

Tariff

Since 2001, a court passing a life sentence is required to state the period which must be served to satisfy the requirements of retribution and deterrence. This is referred to as the 'tariff'. Following the expiry of the tariff a life sentence prisoner may require the Secretary of State to refer his case to the Life Sentence Review Commissioners for consideration for release.

Civil Proceedings

Non-molestation order

Under the Family Homes and Domestic Violence (NI) Order 1998, this order may be granted to prevent a person from molesting another person who has had some kind of relationship with the first person or a relevant child. It is possible for divorcees, former co-habitees and even close relatives to apply for protection. The order restrains the violent party from generally threatening, pestering or harassing the other person. The order can last for a fixed period of time or indefinitely.

Occupation order

Under the Family Homes and Domestic Violence (NI) Order 1998 an occupation order can be granted on its own or in conjunction with a non-molestation order. An occupation order decides who can live in the family home after there has been violence or harassment. It is available to a wide range of associated persons, including spouses, former spouses, and co-habitees, as well as others who have an interest in the ownership of the property in question. The order can remain in force for up to 12 months but can be extended if necessary.

Equality

Section 75

Section 75 of the Northern Ireland Act 1998 places a statutory duty on public authorities to have due regard to the need to promote equality of opportunity between persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation; between men and women generally; between persons with a disability and persons without; and between persons with dependants and persons without. Section 76 of the Northern Ireland Act makes it unlawful for a public authority carrying out functions relating to Northern Ireland to discriminate against a person or classes of person on the grounds of religious belief or political opinion.

Appendix B

Sources of Information on the Northern Ireland Criminal Justice System

Northern Ireland Department of Justice (DOJ)

Block B, Castle Buildings
Stormont Estate
Upper Newtownards Road
Belfast
BT4 3SG
Tel: 028 90763000
Website: www.dojni.gov.uk

Police Service of Northern Ireland (PSNI)

Headquarters, Brooklyn
Knock Road
Belfast
BT5 6LE
Tel: 028 90650222
Website: www.psni.police.uk

Northern Ireland Policing Board (NIPB)

Waterside Tower
31 Clarendon Road
Clarendon Dock,
Belfast
BT1 3BG
Tel: 028 9040 8500
Website: www.nipolicingboard.org.uk

Office of the Police Ombudsman for Northern Ireland (OPONI)

Policy and Practice Directorate
New Cathedral Buildings
St Anne's Square
11 Church Street
Belfast
BT1 1PA
Tel: 028 90828600
Website: www.policeombudsman.org

Probation Board for Northern Ireland (PBNI)

80-90 North Street
Belfast
BT1 1LD
Tel: 028 90262400
Website: www.pbni.org.uk

The Compensation Agency

Royston House
34 Upper Queen Street
Belfast BT1 6FD
Tel: 028 90547417
Website: www.compensationni.gov.uk

Northern Ireland Courts and Tribunals Service (NICtS)

Laganside House
23-27 Oxford Street
Belfast
BT1 3LA
Tel: 028 90328594
Website: www.courtsni.gov.uk

The Youth Justice Agency of Northern Ireland

41-43 Waring Street
Belfast
BT1 2DY
Tel: 028 90316400
Website: www.youthjusticeagency.cymni.gov.uk

Forensic Science Northern Ireland (FSNI)

151 Belfast Road
Carrickfergus
BT38 3PL
Tel: 028 90361888
Website: www.fsni.gov.uk

Northern Ireland Prison Service (NIPS)

Dundonald House
Upper Newtownards Road
Belfast
BT4 3SU
Tel: 028 90525065
Website: www.niprisonservice.gov.uk

Statistical and Research Sources

Central Survey Unit

Northern Ireland Statistics and Research Agency
McAuley House
2-14 Castle Street,
Belfast
BT1 1SA
Tel: 028 90348100
Website: www.nisra.gov.uk

Department of Justice

Statistics and Research Branch
Massey House
Belfast
BT4 3SX
Tel: 028 90527534
Website: www.dojni.gov.uk

Northern Ireland Courts and Tribunals Service

Business Development Group
4th Floor, Laganside House
23-27 Oxford Street
Belfast BT1 3LA
Tel: 028 9072 8920
Website: www.courtsni.gov.uk

Northern Ireland Policing Board

Planning Directorate, Statistics and Research Branch
Waterside Tower
31 Clarendon Road, Clarendon Dock,
Belfast
BT1 3BG
Tel: 028 9040 8559
Website: www.nipolicingboard.org.uk

Police Service of Northern Ireland

Central Statistics Unit, Lisnasharragh
42 Montgomery Road
Belfast
BT6 9LD
Tel: 028 9065 0222
Website: www.psni.police.uk

Probation Board for Northern Ireland

Information and Research Branch
80-90 North Street
Belfast
BT1 1LD
Tel: 028 9026 2400
Website: www.pbni.org.uk

Voluntary and Community Sector Organisations

EXTERN

Hydepark House
3 McKinney Road
Newtownabbey
BT36 4PE
Tel: 028 90840555
Website: www.extern.org

Northern Ireland Association for the Care and Resettlement of Offenders (NIACRO)

Amelia House
4 Amelia Street
Belfast
BT2 7GS
Tel: 028 90320157
Website: www.niacro.co.uk

Victim Support Northern Ireland (VSNI)

Annsgate House
70-74 Ann Street
Belfast
BT1 4EH
Tel: 028 90244039
Website: www.victimsupport.org

National Society for the Prevention of Cruelty to Children (NSPCC)

Jennymount Business Park, North Derby Street
Belfast
BT15 3NH
Tel: 028 90351135
Website: www.nspcc.org.uk

Department of Justice

Justice Policy Directorate

Statistics and Research Branch

Massey House

Stormont Estate

Belfast

BT4 3SX

Email: statistics.research@dojni.x.gsi.gov.uk

Telephone: 028 9052 7157

Facsimile: 028 9052 7532

www.dojni.gov.uk