



Public  
Prosecution  
Service

Policy and Information Unit  
Public Prosecution Service  
Belfast Chambers  
93 Chichester Street  
Belfast BT1 3JR

[REDACTED]

FOI 596/23-24

20 February 2024

[REDACTED]

I refer to your email dated 23<sup>rd</sup> January 2024 in which you asked for information in relation to criminal damage offences. Your request has been dealt with under the terms of the Freedom of Information Act 2000.

### **Freedom of Information Act 2000**

The Freedom of Information Act creates rights of access for any person making a request for information to a public authority. The rights of access are twofold. First, to be informed by the public authority if it holds information of the description specified in the request, and if that is the case, secondly, to be provided with that information. These rights are subject to important limitations, which are designed to achieve a proper balance between the right to know and considerations of law and policy in the broader public interest.

You had asked the following:

*“Subject to the Criminal Damage (NI) Order 1977 and not where criminal damage offences related to victims of domestic violence or not where the victim was a service provider.*

- 1. Can you provide the average time for which the PPS bring criminal charges against perpetrators of criminal damage of less than £5000.00 to trial - following receipt of prosecution files from the PSNI?*
- 2. Is a criminal damage offence of less than £5000.00 considered a summary offence?*
- 3. Can you provide the average time for which the PPS bring criminal charges against perpetrators of criminal damage of more than £5000.00 to trial - following receipt of prosecution files from the PSNI?*
- 4. Is a criminal damage offence of more than £5000.00 considered an indictable offence?”*

**Independent, fair and effective**

In response to questions 1 and 3, the table below provides the median number of days between the file receipt date from police and the PPS decision issued date, for the period 1 April 2022 - 31 March 2023. This reflects cases in which criminal damage was the *primary offence* at time of file receipt. The data relate to summary prosecutions only (i.e. prosecution in the Magistrates' Court). It is not possible to provide the equivalent data for indictable decisions (prosecution in the Crown Court) due to the small number of cases recorded over this period. The figures should be read in conjunction with the explanatory notes set out below.

Decision Type	Number of days (Including Decision Information Requests)*	Number of days (Excluding Decision Information Requests)*
Summary Prosecution	11	8

\* A decision information request is issued by PPS to police where the evidence and information contained in an investigation file is incomplete and a further written report or action is required before a prosecutorial decision can be taken.

### **Notes:**

- i) Time is measured as the number of calendar days required for the issue of 50% (median) of decisions.
- ii) Decision issued date is based on the first decision issued on a case.
- iii) The analysis excludes cases flagged by police as involving domestic abuse. Unfortunately, we are unable to exclude cases where the victim was a service provider as these are not readily identifiable from the PPS Case Management System.
- iv) Data have been extracted from the Case Management System based on cases involving a *primary offence* of criminal damage – this is usually the most serious offence at the time of file receipt from police. Please note that an individual case may contain more than one offence (in addition to the primary offence of criminal damage) and more than one suspect. Therefore the first decision issued (and the time period on which the above figures are based) may relate to an offence *other than criminal damage*.

In response to questions 2 and 4, please be advised that a number of factors are considered when determining whether a case should be prosecuted in the Crown Court. These include the scale and value of the damage. Further information in respect of the PPS decision-making process is contained in the [Code for Prosecutors](#).

If you are dissatisfied in any way with the handling of your request, you have the right to request a review in accordance with our review procedure. You should do this as soon as possible or in any case within two months of the date of this response and you can do so by writing to the Head of Policy and Information, Public Prosecution Service, Belfast Chambers, 93 Chichester Street, BELFAST, BT1 3JR or alternatively by sending an e-mail to [info@ppsni.gov.uk](mailto:info@ppsni.gov.uk). You should state the grounds on which you are requesting the review.

Alternatively, you may wish to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Yours sincerely,

**Information Management Team**  
**Public Prosecution Service**