



Public
Prosecution
Service

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

[REDACTED]

FOI 624/23-24

8 March 2024

[REDACTED]

I refer to your correspondence dated 9th February 2024 in which you asked for information in relation to no prosecution decisions. 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:

1. *Please can you confirm how many no prosecution decisions were made in 2023.*
2. *Please can you break down the number at (1) above with reference to the following categories:*
 - (a) *Road Traffic cases*
 - (b) *Drug offences*
 - (c) *Assault offences*
 - (d) *Harassment and domestic offences*
 - (e) *Public order offences*
3. *With reference to each of the categories above, please can you identify what proportion of no prosecution decisions were made in each category relating to victims who were of:*
 - I. *British Nationality*
 - II. *Other Nationality*

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In response to question 1, please be advised that figures for the calendar year 2023 cannot be provided as they will form part of an upcoming Official Statistics publication (due for release in June 2024). Therefore, in terms of the Freedom of Information Act 2000 the exemption in Section 22 (Information intended for future publication) applies to the information you have requested. Section 22 is a qualified exemption and requires a public interest test. Details of the exemption are outlined at **Annex A**.

We can, however, respond to your request based on 2022/23 data (1 April 2022 – 31 March 2023). In response to question 1, please be advised there were **16,128** no prosecution decisions issued in 2022/23. This figure is published in the PPS Statistical Bulletin for 2022/23: [PPS Statistical Bulletin 2022-23 | Public Prosecution Service for Northern Ireland \(ppsni.gov.uk\)](https://www.ppsni.gov.uk/ppsni-statistical-bulletin-2022-23).

In respect of questions 2 (a), (b), (c) and (e), the table below provides a breakdown of no prosecution decisions issued. Please note that in the absence of a defined list of offences for consideration, the figures below are based on the standardised offence classification.

These figures should also be read in conjunction with the explanatory notes set out below.

Offence Classification	Number of No Prosecution Decisions Issued 2022/23
Motoring offences	685
Drug offences	418
Violence against the person	9,113
Public order	237

- *Data are based on the most serious decision issued date.*
- *Offence Classifications are based on the 'primary' offence (generally the most serious) within each case.*
- *Data relating to no prosecution decision offence classifications has been taken from the live Case Management System (as of 8 February 2024).*

In response to question 2(d), please be advised that harassment and domestic abuse offences do not have a specific offence classification *and cases involving these offences may appear within the categories in the table above.*

In order to provide relevant no prosecution data, the figures below are based on an analysis of specific offences (for harassment) and cases in which police have applied a domestic abuse 'flag' (domestic abuse).

Regarding the offence of harassment, there were **956** no prosecution decisions issued in 2022/23 for files received that involved an offence under the following legislation:

- Article 4(1) of the Protection from Harassment (Northern Ireland) Order 1997.
- Article 6 of the Protection from Harassment (Northern Ireland) Order 1997.
- Article 7 of the Protection from Harassment (Northern Ireland) Order 1997.
- Articles 5(6) and (9) of the Protection from Harassment (Northern Ireland) Order 1997.

Please note the following and exercise caution when using the data:

- Data are based on the most serious decision issued date.
- Data relating to harassment should be used and treated separately to data provided in response to other parts of this request. This is due to the potential for double counting - for example, a suspect may have a no prosecution decision issued in relation to a harassment complaint, while also appearing within the 'Violence against the person' classification and / or having had their case flagged as involving domestic abuse.

Please be advised that there were **7,230** no prosecution decisions issued in 2022/23 in relation to files received that were flagged by PSNI as involving domestic abuse.

Please note the following and exercise caution when using the data:

- Data are based on the most serious decision issued date, and files that have been flagged by PSNI as involving domestic abuse.
- Data relating to domestic abuse should be used and treated separately to data provided in response to other parts of this request. This is due to the potential for double counting - for example, a suspect may have a no prosecution decision issued in relation to a file flagged as involving domestic abuse, while also appearing within one of the other offence classifications and / or appearing within the harassment category.

In response to question 3, it is not possible to accurately provide a breakdown of victim nationality due to both the incompleteness of the data (i.e., this information is not available for a sizeable proportion of victims), and the limitations of the PPS Case Management System (CMS) which prevents the automated linking of victims with suspects (and therefore decision type) or specific offences.

Therefore, to answer your request accurately would require an extensive manual search of all cases. This would easily exceed the cost limit as defined in Section 12 of the Act which makes provision for public authorities to refuse requests for information where the cost of dealing with them would exceed the appropriate limit; for the PPS as a Government Department the limit is set at £600. This represents the estimated cost of one person spending 3.5 working days in determining whether the department holds the information, locating, retrieving and extracting the information.

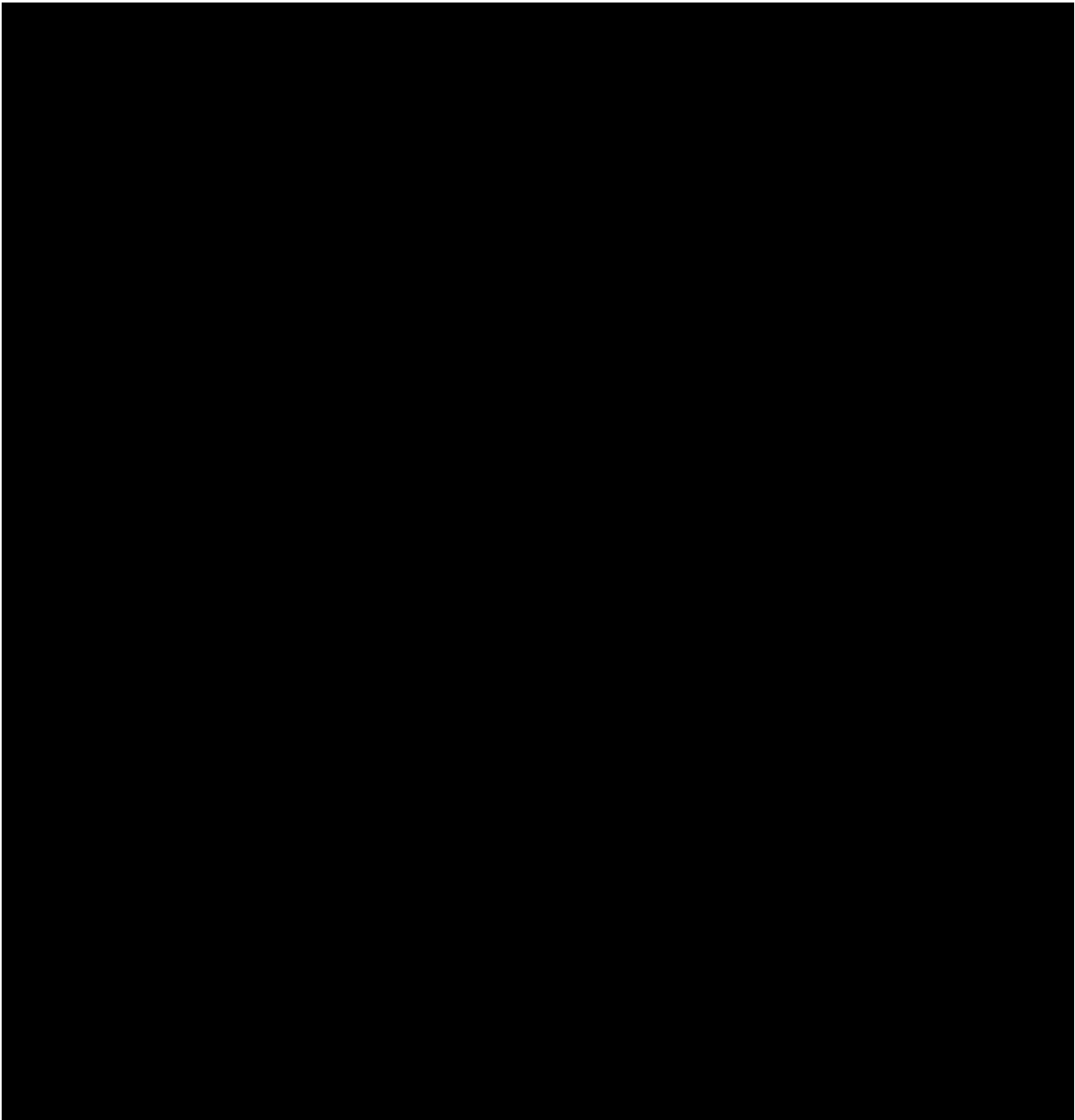
If you are dissatisfied in any way with the handling of your request, you have the right to request a review in accordance with our review procedure. You should do this as soon as possible or in any case within two months of the date of this response and you can do so by writing to the Head of Policy 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. 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



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