



NEWS RELEASE

Date Issued 3 March 2015

Statement on decision to prosecute for alleged breach of Parades Commission determination

The following statement has been issued by the Public Prosecution Service in relation to its decision to prosecute an organiser of a Tyrone Commemoration event held in Castleberg on 11 August 2013 for an alleged breach of a Parades Commission determination.

Michael Agnew, an Assistant Director of the Public Prosecution Service said: "On February 12, 2015 the Public Prosecution Service presented a case at Strabane Magistrates Court in relation a Tyrone Commemoration event held in Castleberg on 11 August 2013.

"The case brought against an organiser of the event was that that there had been a breach of a Parades Commission determination by the wearing of uniforms that were of 'paramilitary style'.

"The decision to prosecute this case followed a Review which sought and considered expert evidence. It was taken on an independent, objective and impartial application of the test for prosecution which concluded that there was a reasonable prospect of the conviction of one individual for failing to comply with the Parades Commission determination.

"We have acted with openness, integrity and in full accordance with the Code for Prosecutors in bringing this case to court.

"The PPS is committed to providing a first-class prosecution service for everyone in Northern Ireland. We refute in the strongest terms any allegation of bias and have provided a detailed response to the defence solicitor on all the matters raised.

"The Court did not make any adverse finding in relation to the expert witness provided by the prosecution but did find that there was an element of doubt over

whether or not the defendant knowingly breached the determination and acquitted the defendant on this basis.

“The PPS respects this decision by the Court.”

ENDS

Note to Editors:

1. The PPS's function is not to decide whether a person is guilty of a criminal offence, but to make fair, independent and objective assessments by applying the Test for Prosecution about whether it is appropriate to present charges for the criminal court to consider.
2. The PPS assessment of any case is not in any sense a finding of, or implication of, any guilt or criminal conduct. It is not a finding of fact, which can only be made by a court, but rather an assessment of what it might be possible to prove to a court, in accordance with the Code for Prosecutors which can be read in full [here](#).
3. The PPS is the principal prosecuting authority in Northern Ireland. In addition to taking decisions as to prosecution in cases investigated by the police in Northern Ireland, it also considers cases investigated by other statutory authorities, such as HM Revenue and Customs.
4. The Public Prosecution Service is regionally based, with four regions in total, each coterminous with one or more divisions. Each region is headed by a Regional Prosecutor (Assistant Director of Public Prosecutions) who have overall responsibility for decision making on investigation files and for the conduct of prosecutions in that region. Additionally, there are also a number of Sections, each headed by an Assistant Director, which deal with specialised or complex areas of work, these include; Central Prosecutions, Fraud and Departmental, Policy and High Court and International.

For further information please call PPS Communications on 02890897187 or out of hours officer on 07790 031568. Email: ppspressoffice@ppsni.gov.uk