



News Release

25 September 2014

For Immediate Release

CASE TO PROCEED ON BREACH OF PARADES COMMISSION DETERMINATION

The Public Prosecution Service today (Thursday, 25 September, 2014) has confirmed that criminal proceedings will be issued against one person in respect of the Tyrone Commemoration event held in Castleberg on the 11th August 2013.

The decision follows a review which sought and considered expert evidence.

Michael Agnew, Assistant Director of the PPS said: "Having carefully considered all of the evidence, including the new evidence obtained in the course of the review, the Test for Prosecution was applied and a fresh decision was taken. It was concluded that there is sufficient evidence to provide a reasonable prospect of conviction of one individual for an offence of failing to comply with a condition of the Parades Commission determination, contrary to section 8 of the Public Processions (Northern Ireland) Act 1998 and that a prosecution would be in the public interest.

"Accordingly, we have now issued proceedings in respect of this offence.

"It is important to remind everyone that as a criminal case is now commencing that there should be no reporting, commentary or sharing of information online which could in any way prejudice these proceedings."

ENDS

Notes to Editor:

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 process for a review of a prosecution decision is set out at para 4.11 of the Code for Prosecutors.
4. PPS prosecutors must also keep every case under review, so that they take account of any change in circumstances that occurs as the case develops, including what becomes known of the defence case. If appropriate, the PPS may change the charges or stop a case.

*For further information or media queries please call PPS Communications on **02890897187** or Out of Hours Officer on **07990 031568***

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