

FOI 203/25-26

23 September 2025

We refer to your email dated 18 August 2025 in which you requested information. 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:

“The Directing Officer has advised me that the alleged offence would not be suitable for an adult caution because it is an alcohol related driving offence. In fact, the alleged offence is excess alcohol in charge of a vehicle. The defendant is a student who was listening to music through his car speakers when he had been drinking. The car had not been started and there was no intention to drive it so a not guilty plea has now been entered and the case is listed for contest next Thursday.

Would you be able to check whether any adult have been administered for this offence in the past?”

In response I can advise that, based on decisions issued between 1/4/22 and 31/3/25, there has been one case where the decision was an adult caution in respect of the legislation specified, namely in charge with excess alcohol in breath under Article 16 (1) (b) of the Road Traffic (NI) Order 1995.

The PPS’s ‘Guidelines for the Use of Diversionary Disposals’, including cautions, can be viewed [here](#).

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