



Public
Prosecution
Service

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

[REDACTED]

FOI 1484/20-21

16/12/2020

[REDACTED]

I refer to your email dated 7 December 2020 in which you asked for information in relation to ex parte Non Molestation Orders. 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. In the year to date how many cases of breach of ex – parte non molestation orders have been reported to the PPS Northern Circuit by the PSNI?*
- 2. In those reported cases how many prosecutions have been directed by the PPS?*

Following a request for clarification, you confirmed that the PPS Northern Circuit refers to the Western and Southern regions of the PPS.

In response please be advised that information specifically on ex-parte non molestation orders is not held in a form which can be readily extracted from the PPS Case Management System. To answer your request accurately would require a 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.

However information relating to 'all non-molestation orders' can be identified and to be of assistance we have provided this in the tables below.

The offences included in the analysis are listed at Table 4.

This information should be read in conjunction with the explanatory notes accompanying the tables.

In respect of question 1 please see Table 1 below which details files received by PPS Western and Southern region with a complaint of 'Breach Non-Molestation Order' between 01/01/20 and 07/12/20.

Table 1: Files received with an offence of Breach of a Non-Molestation Order

Based on first papers received date:

Calendar Year	Number of Cases	Number of Suspects
2020	203	204

In response to question 2, please see Table 2 below which details decisions issued in respect of suspects with an offence of 'Breach of Non-Molestation Order' for files received by PPS Western and Southern region between 01/01/20 and 07/12/20. Table 3 includes decisions issued for 'other' offences in respect of suspects on files received with a complaint of 'Breach Non-Molestation Order'.

Table 2: Decisions issued in respect of suspects with an offence of 'Breach of Non-Molestation Order'

Based on first papers received date

Calendar Year (File Received)	Summary Prosecution	Diversion	No Prosecution
2020	100	-	54

'-' represents a count of less than 3 that cannot be provided in order to prevent disclosure.

Table 3. Decisions issued for 'other' offences in respect of suspects on files received for complaint of 'Breach Non-Molestation Order'.

Based on first papers received date

Calendar Year (File Received)	Summary Prosecution	Diversion
2020	7	0

Table 4: Offences considered for the purposes of this query.

Complaint Offence Description	Complaint Offence Legislation
AIDING AND ABETTING BREACH OF NON-MOLESTATION ORDER	Article 25(a) of the Family Homes and Domestic Violence (Northern Ireland) Order 1998
BREACH OF NON-MOLESTATION ORDER	Article 25(a) of the Family Homes and Domestic Violence (Northern Ireland) Order 1998

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 clearly 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,

PPS FOI Section