



PUBLIC PROSECUTION SERVICE
POLICY AND INFORMATION SECTION
BELFAST CHAMBERS
93 CHICHESTER STREET
BELFAST
BT1 3JR
Tel. (028) 9054 2444

FOI 426-18/19

Via email: [REDACTED]

02 July 2018

Dear [REDACTED]

I refer to your email dated 30 May 2018 in which you asked for information in respect of prosecutions for a number of offences involving forgery and deception.

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 for the following:

Under Freedom of Information, please provide me with the following:

1. *The number of people who have been prosecuted with the following offences over the past five years:*
 - *Part 1 of the Forgery and Counterfeiting Act 1981 (forgery and connected offences)*
 - *Section 24A of the Immigration Act 1971 (deception)*
 - *Section 26 (1) (d) of the Immigration 1971 Act (falsification of documents)*

- *Section 25(1) and (5) of the Identity Cards Act 2006 with effect from January 2011.*

2. The number of people prosecuted with the offences named above over the past five years who used either Article 31 of the United Nations Convention 1951 or Section 31 of the Immigration and Asylum Act 1999 as a defence. (If you are unable to say the reason why the prosecution was unsuccessful, the number of unsuccessful prosecutions will suffice although this may be answered in response to question 1).

Please provide this in Microsoft Excel format under the following headings (although please provide any other additional information that is available): Date of court hearing; name of offence; summary description of offence; plea; any details about defendant (such as, but not limited to, gender, age and nationality) and outcome (such as verdict and sentence).

In response to question 1, please see the attached spreadsheet presenting a range of data on prosecutions relating to the offences of interest. The information is spread across a number of Excel worksheets as follows:

1. Overall prosecutorial decisions issued.
2. Prosecutions by offence description.
3. Prosecutions by gender of defendant.
4. Prosecutions by nationality of defendant.
5. Prosecutions by age of defendant.
6. Crown Court outcomes (based on court disposal dates).
7. Magistrates' Court outcomes (based on court disposal dates).
8. List of offences considered.

All statistics cover the period 1 April 2013 to 31 March 2018 and should be read in conjunction with the explanatory notes, which are set out in the various worksheets.

In respect of your request for information regarding sentencing, whilst data are held by PPS on court outcomes, we cannot provide an analysis of sentencing in respect of these cases. However this information may be available from the Department of Justice and / or the Northern Ireland Courts and Tribunals Service.

In response to question 2, please see the 'outcome' tables for the numbers of acquittals at court. Whilst these overall figures are available, I can advise that the PPS does not record information in respect of cases where either Article 31 of the United Nations Convention 1951 or Section 31 of the Immigration and Asylum Act 1999 was used as a

defence. Therefore in terms of Section 17 of the Freedom of Information Act 200 the information request is not held.

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,

A handwritten signature in black ink, appearing to be 'D. A.', is written above the typed name 'PPS FOI Section'.

PPS FOI Section

