



**Public
Prosecution
Service**

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

[REDACTED]

FOI 55/21-22

6 May 2021

[REDACTED]

I refer to your email dated 14th April 2021 in which you asked for information regarding prosecutions brought by the PPS under the 1824 Vagrancy Act and the Vagrancy Act (Ireland) 1847. 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. To ask how many prosecutions the PPS has brought since April 1 2016 under the 1824 Vagrancy Act and the Vagrancy Act (Ireland) 1847 and how many convictions have resulted in these cases.
2. To ask whether the PPS holds any data on whether an individual being prosecuted is experiencing homelessness at the time they are prosecuted.

In response to question 1, please see Table 1 below detailing the number of decisions issued and Table 2 outcomes in respect of defendants dealt with by Summary Prosecution in the Magistrates' and Youth Court for offences in relation to the Vagrancy Act 1824 and/or the Vagrancy Act (Ireland) 1847 since 1 April 2016 (as of 22nd April 2021).

Offences included in the analysis are listed at Table 3. The tables should be read in conjunction with the accompanying notes.

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**Table 1:
Decisions Issued by PPS in respect of Suspects involving an offence under the Vagrancy Act 1824 and/or the Vagrancy (Ireland) Act 1847 since 1 April 2016 (as of 22 April 2021)**

*Based on most serious decision issued date
Number of suspects*

Summary Prosecution	Diversion	No prosecution	Total
345	103	16	464

**Table 2:
Magistrates' and Youth Court Outcomes in respect of defendants dealt with by way of Summary Prosecution for an offence under the Vagrancy Act 1824 and/or the Vagrancy (Ireland) Act 1847 since 1 April 2016 (as of 22 April 2021)¹**

*Based on overall outcome (Summary)
Number of Defendants*

Convicted of At Least One Offence ²	Acquitted	Other	Total
261	8	15	284

¹. Outcomes in respect of 61 defendants are pending.

². 'Convicted of at least one offence' refers to the overall outcome for the defendant; some defendants may have been convicted of another offence (i.e. not the offence under the Vagrancy Act 1824 and/or the Vagrancy (Ireland) Act 1847).

**Table 3:
Offences**

Complaint Offence Description	Complaint Offence Legislation
ATTEMPTED INDECENT EXPOSURE WITH INTENT TO INSULT A FEMALE	Section 4(d) of the Vagrancy Act 1824 and Article 3(1) of the Criminal Attempts and Conspiracy (Northern Ireland) Order 1983.
INDECENT EXPOSURE WITH INTENT TO INSULT A FEMALE	Section 4(d) of the Vagrancy Act 1824
FOUND ON PREMISES FOR UNLAWFUL PURPOSE	Section 4 of the Vagrancy Act 1824 as amended.
ARMED WITH OFFENSIVE WEAPON WITH INTENT TO COMMIT OFFENCE (REPEALED 4 MAY 2011)	Section 4 of the Vagrancy Act 1824
POSSESSING INSTRUMENT WITH INTENT TO COMMIT AN OFFENCE	Section 4 of the Vagrancy Act 1824.
BEGGING	Section 3 of the Vagrancy (Ireland) Act 1847.
UNLAWFUL CHARITABLE COLLECTION	Section 4 of the Vagrancy Act 1824 as amended by the Summary Jurisdiction and Criminal Justice Act (Northern Ireland) 1935.
Complaint for ASBO	Article 3 of the Vagrancy (Ireland) Act 1847

In response to question 2, I can advise the information requested is not held by the PPS. Therefore in terms of the Freedom of Information Act 2000 I can confirm that under Section 1(1) (a) of the Act the PPS does not hold the requested information.

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