



**Public
Prosecution
Service**

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

FOI 1248/21-22

20 October 2021

Dear Sirs,

I refer to your correspondence dated 11th October 2021 in which you asked for information relating to offences under the Tuberculosis (Examinations and Testing) Scheme Order (Northern Ireland) 1999. 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:

“Would be obliged if you could kindly provide data of all prosecutions taken by PPS over past 10 years in relation to alleged offences under the Tuberculosis (Examinations and Testing) Scheme Order (Northern Ireland) 1999.

Further, can you also please confirm under what provision within those regulations each prosecution was taken (e.g. para 5 of the schedule to the Order)

Finally, can you confirm the outcome of each prosecution (e.g. guilty plea, conviction, acquittal, caution etc.)”

In response I can advise there were 5 summary prosecution decisions issued between 1 April 2011 and 31 March 2021, each under, “Article 7 of the Tuberculosis

(Examination and Testing) Scheme Order (Northern Ireland) 1999 and Article 52(1) of the Diseases of Animals (Northern Ireland) Order 1981.

The outcomes in respect of these cases can be found in the table below:

Number of Defendants	Outcome
1	Plea Of Guilty On All Charges
1	Plea Not Guilty - Acquitted of All Charges
2*	Plead Not Guilty to at Least One Charge - Found Guilty on at Least One Charge
1	Defendants pending outcome as of October 2021

* Please note that one of the two defendants with an outcome of 'Plead Not Guilty to at Least One Charge - Found Guilty on at Least One Charge' was convicted of an offence under Article 7 of the Tuberculosis (Examination and Testing) Scheme Order (Northern Ireland) 1999 and Article 52(1) of the Diseases of Animals (Northern Ireland) Order 1981.

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 faithfully,

PPS Information Management Team