

[REDACTED]

14 November 2018

Dear [REDACTED]

I refer to your email dated 5 November 2018 in which you asked for internal guidance published or communicated in relation to the prosecution of abortion related offences.

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:

"Please disclose:

Re: Abortion Offences (sections 58, 59 and 60 of the Offences Against Persons Act 1861 and section 25 (1) of the Criminal Justice (Northern Ireland) Act 1945)

Any internal guidance published or communicated in relation to the prosecution of the above offences since 2012."

In response I can advise that the PPS has not produced any internal guidance relating specifically to the offences outlined above. Therefore I can confirm under Section 1(1)(a) of the Freedom of Information Act that we do not hold the information you have requested.

In general terms, I can advise that PPS prosecutors consider evidence provided to them by police or other investigators and take prosecutorial decisions in line with the Code for Prosecutors, having regard to the relevant legislative provisions and case law.

More general information regarding the PPS's Test for Prosecution can be found in the Service's Code for Prosecutors at www.ppsni.gov.uk/publications.

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 Unit, 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