

[REDACTED]

FOI 322/23-24

18 September 2023

[REDACTED]

I refer to your email dated 25 August 2023 in which you asked for information. 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:

“Under Freedom of Information legislation please provide any policy/ document/ guidance/practice direction/accepted practice or any other material by which the Contempt of Court Reporting Restrictions and Restrictions on Public Access to Hearings Guidance [Revised 4 May 2022, updated 9 September 2022] as provided to the Crown Prosecution Service [England & Wales] is not required to be replicated by the Public Prosecution Service Northern Ireland or is exempt from same.”

In response I can advise that the information requested is not held by the PPS and therefore, in terms of the Freedom of Information Act, I can confirm that under Section 1(1)(a) of the Act we do not hold the information you have requested. It should be noted that the CPS guidance is on all fours with the NI Guidance, namely that prosecutors will have regard to it, but it is *guidance* and neither CPS nor PPS is bound by the guidance in respective jurisdictions.

The CPS Guidance does not, of course, extend to NI.

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 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,

Information Management Team
Public Prosecution Service