



Public
Prosecution
Service

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

[REDACTED]

Our reference: 567/23-24

6 February 2024

[REDACTED]

I refer to your e-mail dated 9th January 2024 in which you asked for information relating to prosecutions pertaining to a goldmine in Greencastle, Co. Tyrone. 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 asked the following:

“How many prosecutions have been taken for alleged offences linked to a goldmine at Greencastle, Co Tyrone, in each of the last five years? This should include instances where the goldmine is referred to in case papers. Please include the outcome in each case”.

In response, I can advise that information specifically identifying prosecution cases relating to the gold mine are not held in a form which can be extracted from the PPS Case Management System. To answer your request accurately would require an extensive manual search of all cases. This would easily exceed the cost limit as defined in Section 12 of the Act which makes provision for public authorities to refuse requests for information where the cost of dealing with them would exceed the appropriate limit; for the PPS as a Government Department the limit is set at £600.

Independent, fair and effective

This represents the estimated cost of one person spending 3.5 working days in determining whether the department holds the information, locating, retrieving and extracting the information.

However, in order to provide you with some data we have examined other sources of information internally and have identified a number of cases touching upon the gold mine. Please note these records are not comprehensive and therefore the figures should be regarded as indicative only.

Taking into account the limitations of the data, I can advise that from 1st April 2021 to 31st December 2023, prosecution decisions have been issued in 10 cases involving 15 persons. A further case involving 2 persons is pending decision.

Please see table below which provides the Magistrate's Court outcomes in respect of these prosecutions for the period 1st April 2021 to 31st December 2023. Please note that in two cases (involving 3 defendants), the court proceedings are still ongoing.

Overall Outcome (Summary)	Outcome (No. of Defendants)
OTHER	4
PLEA NOT GUILTY - ACQUITTED ON ALL CHARGES	5
PLEA OF GUILTY ON ALL CHARGES	0
PLEA OF NOT GUILTY ON AT LEAST ONE CHARGE - FOUND GUILTY ON AT LEAST ONE CHARGE	3
Total	12

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