



Public
Prosecution
Service

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

[REDACTED]

FOI 163/23-24

[REDACTED]

30 June 2023

I refer to your email dated 16 June 2023 in which you asked for information in relation to immigration charges. 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:

“I am writing today on behalf of the Policy Team at the Law Centre for an inquiry relating to charges of assisting unlawful immigration/facilitation. We have an interest in understanding how many people in the last 3 years have been charged under Section 25 of the Immigration Act 1971 in Northern Ireland”.

In response, please note that the PPS is unable to provide data in respect of individuals charged as this is not a matter for the Service. However, we can advise that for the three financial years from 2020/21 to 2022/23, prosecution decisions were taken against 5 persons in relation to the specified offences. The list of offences considered for the purposes of this query can be found below at **Table A**.

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

Independent, fair and effective

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
PPS

Table A: List of Offences Considered

Decision Offence Code Description	Decision Offence Legislation
AIDING AND ABETTING ASSISTING UNLAWFUL IMMIGRATION TO MEMBER STATE (FACILITATION)	Section 25(1) of the Immigration act 1971
ASSISTING ENTRY INTO UNITED KINGDOM IN BREACH OF DEPORTATION ON ORDER - IMMIGRATION	Section 25B(1) of the Immigration Act 1971
Assisting Entry to the UK in breach of a Deportation Order	Section 25B(1) of the Immigration Act 1971
ASSISTING ILLEGAL ENTRY INTO UK - POST BREXIT	section 25(1) of the Immigration Act 1971.
ASSISTING ILLEGAL ENTRY INTO UK - PRE BREXIT	Section 25(1) of the Immigration Act 1971.
ASSISTING UNLAWFUL IMMIGRATION OF A NON-UK NATIONAL (FACILITATION) - POST BREXIT	Section 25(1) of the Immigration Act 1971 .
ASSISTING UNLAWFUL IMMIGRATION TO MEMBER STATE (FACILITATION) -Pre Brexit	Section 25(1) of the Immigration Act 1971
ATTEMPTING TO ASSIST UNLAWFUL IMMIGRATION TO MEMBER STATE (FACILITATION)	Article 3(1) of the Criminal Attempts and Conspiracy (Northern Ireland) Order 1983 and section 25(1) of the Immigration Act 1971
CONSPIRACY BY A NON-BRITISH CITIZEN RE BREACH IMMIGRATION OUTSIDE UK	Article 9A of the Criminal Attempts and Conspiracy (Northern Ireland) Order 1983 and section 25(1) of the Immigration Act 1971
CONSPIRING TO ASSIST ILLEGAL ENTRY INTO UK	Article 9 of the Criminal attempts and Conspiracy (NI) Order 1983 & Section 25(1) of the Immigration Act 1971.
CONSPIRING TO ASSIST UNLAWFUL IMMIGRATION OF A NON-UK NATIONAL (FACILITATION) - POST BREXIT	Section 25(1) of the Immigration act 1971 and Article 9 of the Criminal Attempts and Conspiracy (Northern Ireland) Order 1983.
CONSPIRING TO ASSIST UNLAWFUL IMMIGRATION TO MEMBER STATE (FACILITATION) - PRE BREXIT	Section 25(1) of the Immigration act 1971 and Article 9 of the Criminal Attempts and Conspiracy (Northern Ireland) Order 1983
HARBOURING ILLEGAL ENTRANT INTO UK	Section 25(2) of the Immigration Act 1971.
HELPING ASYLUM SEEKER TO ENTER UNITED KINGDOM - IMMIGRATION	Section 25(A) of the Immigration Act 1971