



Making Northern Ireland Safer For Everyone Through Professional, Progressive Policing

FREEDOM OF INFORMATION REQUEST



Request Number: F-2010-02307

Keyword: Crime

Subject: Cases Not Reaching Trial Because of Delays

Request and Answer:

Questions

- Please state how many cases did not reach trial during 2009/10 because of delays by the PSNI? Please provide a breakdown by offence (e.g. one murder, two rapes, three armed robberies)
- Please state how many cases did not reach trial during 2008/09 because of delays by the PSNI? Please provide a breakdown by offence (e.g. one murder, two rapes, three armed robberies)
- Please state how many cases did not reach trial during 2007/08 because of delays by the PSNI? Please provide a breakdown by offence (e.g. one murder, two rapes, three armed robberies)
- Please state how many cases were timed out/statute barred during 2009/10? Please provide a breakdown by offence (e.g. one murder, two rapes, three armed robberies)
- Please state how many cases were timed out/statute barred during 2008/09? Please provide a breakdown by offence (e.g. one murder, two rapes, three armed robberies)
- Please state how many cases were timed out/statute barred during 2007/08? Please provide a breakdown by offence (e.g. one murder, two rapes, three armed robberies)

Answer

Section 17(5) of the Freedom of Information Act 2000 requires the Police Service of Northern Ireland, when refusing to provide such information (because the cost of compliance exceeds the appropriate limit) to provide you the applicant with a notice which states that fact.

It is estimated that the cost of complying with your request for information would exceed the "appropriate costs limit" under Section 12(1) of the Freedom of Information Act 2000, which is currently set by the Secretary of State at £450. The requested information is not held in a searchable field within the appropriate system and in addition in the majority of cases would not be expected to be held to the level of detail requested. In order to carry out a search, both to confirm or deny whether the information is held and to retrieve information that is or may be held, would require each record for every case forwarded to the Public Prosecution Service to be individually examined. This would amount to thousands of records and would far exceed the appropriate limit as outlined above.

In accordance with the Freedom of Information Act 2000, this letter should be considered as a Refusal Notice, and the request has therefore been closed.

The Police Service of Northern Ireland have also considered whether we can be of any assistance in terms of helping you refine your request to bring it under the cost limit however the nature and structure of the information unfortunately makes this impossible.

It should be noted that serious crimes such as murder, rape and armed robberies as referred to in your examples are indictable offences and are not subject to statutory time limits.

If you have any queries regarding your request or this decision please do not hesitate to contact me on 028 9070 0164. When contacting the Freedom of Information Team, please quote the reference number listed at the beginning of this letter.

If you are dissatisfied in any way with the handling of your request, you have the right to request a review. You should do this as soon as possible, or in any case within two months of the date of issue of this letter. In the event that you require a review to be undertaken, you can do so by writing to the Head of Freedom of Information, PSNI Headquarters, 65 Knock Road, Belfast, BT5 6LE or by emailing foi@psni.pnn.police.uk.

If following an internal review, carried out by an independent decision maker, you were to remain dissatisfied in any way with the handling of the request you may make a complaint, under Section 50 of the Freedom of Information Act, to the Information Commissioner's Office and ask that they investigate whether the PSNI has complied with the terms of the Freedom of Information Act. You can write to the Information Commissioner at Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. In most circumstances the Information Commissioner will not investigate a complaint unless an internal review procedure has been carried out, however the Commissioner has the option to investigate the matter at his discretion.

Please be advised that PSNI replies under Freedom of Information may be released into the public domain via our website @ www.psni.police.uk

Personal details in respect of your request have, where applicable, been removed to protect confidentiality.