



FREEDOM OF INFORMATION REQUEST



Request Number: FOI 2011 03008

Keyword: Crime

Subject: Unresolved Murder Investigations

Request and Answer:

Question 1

Under the Freedom of Information act 2000, please disclose full details of the murder investigations which remain unresolved in the force area.

Question 2

I would like the information to include, for each relevant year:

Question 3

The number of murder investigations for which a conviction has not yet been achieved;

Question 4

The date of the crime/date on which it was notified to the police;

Question 5

The nature and circumstances of the crime;

Question 6

The name and age of the victim;

Question 7

Whether anyone was ever prosecuted for the murder;

Question 8

Whether it remains under active investigation or not.

I would prefer to receive the information in electronic format, to the enclosed email address. However, if it is more convenient, I would be happy to receive the information in hard copy format.

If my request is denied in whole or part, I ask that you justify all deletions by reference to specific exemptions of the act. I will also expect you to release all segregable portions of otherwise exempt material.

PLEASE NOTE, IN PARTICULAR, THAT I WILL NOT ACCEPT THE IMPOSITION OF QUALIFIED EXEMPTIONS ON A BLANKET BASIS; I WILL REQUIRE, AT THE VERY LEAST, EVIDENCE THAT AN ATTEMPT HAS BEEN MADE TO MAKE A PARTIAL DISCLOSURE OF AVAILABLE INFORMATION, IN A REDACTED, DIGESTED OR EDITED FORM.

I, of course, reserve the right to appeal your decision to withhold any information or to deny a waiver of fees.

Answer

The Police Service of Northern Ireland (PSNI) do not hold the requested information in an easily retrieval format. Therefore, 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.

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.

By way of explanation, these questions have very wide parameters and an open time span, it would be extremely difficult, even with IT intervention, to pull together the statistics requested. Staff would have to be redirected from current work to complete a manual case by case search. This would involve looking at each murder file individually, carrying out various checks, which would for example include, checking if someone has ever been charged and subsequently found not guilty at court etc which clearly would be very labour intensive and in excess of the 18 hour limit. It is considered to do this would impact on the PSNI's ability to deliver front line policing, which would impact on the wider community.

Therefore, 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.

You may wish to submit a refined request in order that the cost of complying with your request may be facilitated within the 'appropriate limit'. In compliance with Section 16 of the Act, I have considered how your request may be refined to bring it under the appropriate limit.

Section 16 – Duty to provide advice and assistance:

You may wish to refine your request to a specific time span, however as this search may still prove to be labour and time intensive, as the information would be embedded in different systems it may still be over the cost. Additionally, you may also wish to specify what you consider to be unresolved. For example, where 3 gunmen carried out an attack and only one is convicted the case is statistically considered to be 'cleared'. Obviously, in this example 2 suspects are outstanding. This does not even begin to consider suspects who may have assisted the gunmen in any capacity either before or after the murder.

Submission of a refined request would be treated as a new request, and considered in accordance with the Freedom of Information Act 2000, including consideration of relevant Part II exemptions.

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.