



FREEDOM OF INFORMATION REQUEST



Request Number: F-2018-02109

Keyword: Crime

Subject: Recorded Homicides

Request and Answer:

Your request for information has now been considered. In respect of Section 1(1)(a) of the Act I can confirm that the Police Service of Northern Ireland does hold some information to which your request relates and this is being provided to you.. We further consider that some information you seek in request number 2 in relation to suspects and method used is exempt by virtue of section 30 of FOIA and have detailed our rationale as to why this exemption applies. We have also provided you with links to guidance issued by the Information Commissioner's Office which we have followed in responding to your request.

Request 1

Please can you send me a list of all the cases recorded as a homicide (murder, manslaughter and infanticide) in the calendar year 2017 (1st Jan 2017 – 31st December 2017).

Answer

Please see attached spreadsheet

Request 2

Please can you provide the date, the location, the age and gender of the victim and of any suspects, and the method from the following list: sharp instrument, blunt instrument, hitting/kicking, strangulation, shooting, explosion, burning, drowning, poison/drugs, motor vehicle.

If you are unable to provide any detailed information because an investigation is ongoing, please simply supply the number of cases and the dates on which they took place.

Answer

Please see attached spreadsheet.

As stated above, the information you have requested in relation to suspects and methods used is being withheld and the following explanation is provided.

Section 17(1) of the Freedom of Information Act 2000 requires the Police Service of Northern Ireland, when refusing to provide such information (because the information is exempt) to provide you the applicant with a notice which:

- (a) states that fact,
- (b) specifies the exemption in question and
- (c) states (if not otherwise apparent) why the exemption applies.

The exemption, as well as the factors the Department considered when deciding where the public interest lies, are listed below:

Section 30 (1) (a) - Investigations and proceedings conducted by the public authority

Information held by a public authority is exempt information if it has at any time been held by the authority for the purposes of:

- (a) Any investigation which the public authority has a duty to conduct with a view to it being ascertained (i) whether a person should be charged with an offence, or (ii) whether a person charged with an offence is guilty of it.

The full text of exemptions can be found at www.legislation.gov.uk and further guidance on how they operate can be located on the Information Commissioners Office website www.ico.org.uk.

Section 30 is a qualified and class-based exemption which means a Public Interest Test must be conducted. This exemption covers information held at any time for the purposes of an investigation, whether the case is open, ongoing, closed or abandoned.

Public Interest Test

Factors Favouring Release

Disclosure could promote public trust in providing transparency, demonstrating openness and accountability in relation to murder investigations. To release this information would reassure the public that the PSNI is effectively engaging with its investigative role. All police investigations will involve the use of public funds and where this is the case there is always a public interest in ensuring that those funds are not used unnecessarily or unwisely.

Factors Against Release

Release of this information would make persons aware that they are being investigated as suspects undermining the criminal investigative process and consequently the administration of justice. In addition revealing methodology may provide suspects with knowledge of information not in the public domain

Decision

Due to ongoing investigations, and the fact that suspects sometimes are never aware of their standing within an investigation, it is not possible to release this information.

PSNI must ensure that investigations; identification of suspects, or future evidence opportunities are not adversely affected by the release of information. On balance the requirement to withhold this information must therefore take precedence over the important issues of public accountability and transparency. Therefore, the public interest, in this instance, is best served by not releasing the information to which you seek access.

If you have any queries regarding your request or the 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.