

Keeping People Safe



FREEDOM OF INFORMATION REQUEST



Request Number: FOI-2020-02235

Keyword: Crime

Subject: Legacy Cases

Request and Answer:

Your request for information has now been considered. In respect of Section 1(1) (a) of the Act we can confirm that the Police Service of Northern Ireland does hold information to which your request relates. The decision has been taken to disclose the following.

Initial Request

I am trying to find out information on the status of legacy cases, those that were previously investigated by the Historical Enquiries Team. From information, the HET handed over 900 case files involving 1200 victims.

Clarification sought from Requester

To enable the Police Service of Northern Ireland (PSNI) to meet your request could you please provide further clarification on the following:

'I am trying to find out information on the status of legacy cases, those that were previously investigated by the Historical Enquiries Team. From information, the HET handed over 900 case files involving 1200 victims'.

Is the requestor asking about those cases previously investigated by the HET (not handed over to the Legacy Investigation Branch) or the current caseload of the Legacy Investigation Branch (handed over) or both?

Clarification received from Requester

Basing information on a UK parliamentary answer from November 12th:

Named Person MP: "...we are aware that following the closure of the Historical Enquiries Team in 2014, the PSNI inherited a caseload of over 900 cases, involving nearly 1,200 deaths - the vast majority of which were at the hands of republican or loyalist terrorists."

So this would be cases that were not closed and were handed over to/inherited by the Legacy Investigation Branch, that is the 900 cases involving 1,200 deaths. How many of those cases are closed/resolved and how many are currently being investigated/active?

Request 1

How many cases are currently open? In total, how many victims do these cases cover?

Answer

PSNI's former Historical Enquiry Team (HET) and subsequently PSNI's Legacy Investigation Branch (LIB), have a total of 929 cases with a total of 1184 victims.

Request 2

How many cases are being actively investigated?

Answer

There are a total of 33 cases which comprise of 'active investigation' and continue to place a demand on resources.

Request 3

What is the breakdown of arrests, files forwarded to the Public Prosecution Service, prosecutions and convictions?

Answer

There are a total of 19 case files submitted to the Public Prosecution Service (PPS) by the PSNI's LIB since inception. To date this has consisted of the following:

- A total of 9 arrests
- PPS Decisions: a total of 9 'Prosecutions', and a total of 20 'No Prosecutions'. A total of 15 are awaiting a decision.
- As of the 15th January 2021, there have been no convictions.

It should be noted that a file submitted to the PPS, can have several persons associated with this one case.

Request 4

What is the breakdown from the overall number of crimes attributed to loyalists, republicans and state actors? What is the breakdown of cases involving state actors, i.e. Army and police?

Answer

Please see the breakdown provided in the table below:

Republican	385
Loyalist	230
Military	238
Police	44
Unknown	32
Total	929

It should be noted that this information has been provided based on the number of 'cases'.

Request 5

What is the breakdown by grouping of active investigations?

Answer

Please see a breakdown provided below:

Total of 'reviews' = 9

- Republican = 5
- Loyalist = 3
- Security Forces (Military) = 1

Total of 'investigations' = 5

- Republican = 1

- Loyalist = 2
- Security Forces (Military) = 2

Total for PPS =19

- Republican = 7
- Loyalist = 2
- Security Forces (Military) = 10

All of the above comprise of 'active investigations' as they continue to place a demand on resources.

Request 6

What is the breakdown of arrests, files forwarded to the PPP, prosecutions and convictions by grouping, loyalists, republicans and state actors?

Answer

Please see a breakdown provided below:

Total of 'arrests' = 9

- Republican = 6
- Loyalist = 1
- Security Forces (Military) = 2

Total of files to PPS = 19

- Republican = 7
- Loyalist = 2
- Security Forces (Military) = 10

Total of 'prosecutions' =9

- Republican = 2
- Loyalist = 1
- Security Forces (Military) = 6

As of the 15th January 2021, there have been no convictions.

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 Corporate Information Branch, 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 Corporate Information Branch, 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.