



Public  
Prosecution  
Service

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

[REDACTED]

FOI 566/23-24

5 February 2024

[REDACTED]

I refer to your email dated 8 January 2024 in which you asked for information on prosecutions / decisions not to prosecute, conducted between 1998 to the present date, relating to former-service personnel for Troubles-related offences. 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:

- *The number of prosecutions for Troubles-related offences initiated by the PPS involving former-service personnel from 1998 to the present date.*
- *A breakdown of the specific offences that were / are being prosecuted within the above criteria.*
- *The number of decisions not to prosecute former service-personnel for Troubles-related offences, taken from 1998 to the present date.*
- *A breakdown of the specific offences relating to decisions not to prosecute in the above specified period.*

For the purposes of your query those cases relating to the troubles where the incidents in question pre-date the Belfast Agreement of April 1998 have been defined as Legacy Cases.

In response please be advised that information relating to prosecutions/decisions not to prosecute former service personnel is not held in a form which can be readily extracted from the PPS Case Management System. To answer your request would require a manual search of all cases. This would easily exceed the cost limit as defined in Section 12 of the Act which makes provision for public authorities to refuse requests for information where the cost of dealing with them would exceed the appropriate limit; for the PPS as a Government Department the limit is set at £600. This represents the estimated cost of one person spending 3.5 working days in determining whether the department holds the information, locating, retrieving and extracting the information.

However, in order to provide you with some data we have examined other sources of information held internally. The PPS holds a record of decisions as to prosecutions taken in respect of Legacy Cases received by the PPS from 1<sup>st</sup> January 2012 to date.

It should be noted that this is not a complete record of all prosecutions conducted in the period, a number of which would have resulted from a prosecutorial decision in the previous period.

Taking into account the limitations of this data, I can advise that of these legacy cases six cases involved 27 former service personnel. Decisions were taken to prosecute in five of these cases which related to a total of 6 suspects. No prosecution decisions issued in respect of 21 of the 27 former service personnel reported to this office for a decision as to whether to prosecute. One of these cases (Bloody Sunday) involved 16 suspects and another involved 5 suspects.

In respect of the five cases, the offences prosecuted included murder, attempted murder, manslaughter and attempted GBH with intent. The offences relating to the no prosecution decisions were murder and attempted murder.

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 Service, Belfast Chambers, 93 Chichester Street, BELFAST, BT1 3JR or alternatively by sending an e-mail to [info@ppsni.gov.uk](mailto: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**  
**Public Prosecution Service**