



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

[REDACTED]
Via email: [REDACTED]

FOI 3513-18/19

2 April 2019

Dear [REDACTED]

I refer to your email dated 11 March 2019 in which you asked for information about the number of cases in 2018 which were withdrawn in the Crown Court.

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 for the following:

"In 2018 (Jan-December)

Please confirm number of cases withdrawn by decision of PPS at the indictment stage – from Magistrates Court to Crown Court?

Of those, please confirm - how many were withdrawn because the evidential test was not met?

Of those confirm how many were withdrawn because the public interest test was not met?"

In response, I can advise that when a prosecutor decides that the prosecution of any person is to be discontinued in the Crown Court this can be implemented in one of two ways; *either* by offering no evidence or by applying not to proceed without further leave of the court (entering a nolle prosequi – commonly referred to as 'left on books').

Table 1 below details the number of defendants dealt with during 2018 where the overall outcome for the defendant was either 'no evidence offered' or 'left on books'.

Table 1: Defendants Dealt with in the Crown Court with an Overall Outcome of No Evidence Offered (All Offences) / 'Left on Books' (All Offences) 2018

Outcome	No. of Defendants
No Evidence Offered (All Offences)*	45
Left on Books (All Offences)	69

** Where a result type of 'No Evidence Offered - Defendant Acquitted' or 'No Evidence Offered' was recorded.*

The total number of defendants dealt with in the Crown Court during 2018 (*i.e. all outcomes*) was 1,394.

Please note that these results are as recorded by the Northern Ireland Courts and Tribunals Service and shared with PPS.

Please also note that we cannot provide details as to the reason for each result/finding as this information is not recorded on the PPS Case Management System. As the information is not held in a form which can be readily extracted, to answer your request accurately 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

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. You should state clearly 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,

A handwritten signature in black ink, appearing to be 'D. King' or similar, written over a horizontal line.

PPS FOI Section