



PUBLIC PROSECUTION SERVICE
POLICY AND INFORMATION SECTION
BELFAST CHAMBERS
93 CHICHESTER STREET
BELFAST
BT1 3JR
Tel. (028) 9054 2444

FOI 272-19/20

Via email: [REDACTED]

4 June 2019

Dear [REDACTED]

I refer to your email dated 9 May 2019 in which you asked for information about the Corporate Manslaughter and Corporate Homicide Act.

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:

"Could you please provide the following information under FOI, relating to the Corporate Manslaughter and Corporate Homicide Act (CMCHA):

- 1. How many cases have been prosecuted under the CMCHA?*
- 2. Whether the defendant has pleaded guilty?*
- 3. Sentence outcomes in successful convictions"*

In response to question 1, I can advise that as at 13th May 2019 there were 10 decisions for an indictable prosecution under the Corporate Manslaughter and Corporate Homicide Act 2007 (i.e. prosecutions in the Crown Court).

In response to question 2 please see table below detailing the outcomes for the offence of Corporate Manslaughter and Corporate Homicide Act 2007.

Outcome	Number of Defendants
Plead Guilty All, Found Guilty All	4
Found Not Guilty of at Least One Offence	3*
Plead Not Guilty All, Found Not Guilty All	1
Outcome Pending	2

* Please note that all three were found not guilty of the Corporate Manslaughter offence.

The following offence was included in the analysis:

Decision Offence Code Description	Decision Offence Legislation
Corporate Manslaughter	Section 1(1) of the Corporate Manslaughter and Corporate Homicide Act 2007

In respect of question 3, please note that while PPS does receive sentencing data from the Northern Ireland Courts and Tribunal Service, we cannot readily extract this information from the Case Management System without recourse to a manual exercise and 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. I would suggest you contact NICTS who hold this 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 red ink, appearing to be 'C. M. G. B.', written over a faint circular stamp.

PPS FOI Section