

FOI 520/18-19

Via email: [REDACTED]

27 June 2018

Dear [REDACTED]

I refer to your email dated 11 June 2018 in which you asked for information about cases which have been dropped by the Public Prosecution Service between April 2008 and April 2018 due to the death of the victim and the nature of the offences in each instance.

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;

1. *How many cases have been dropped by the Public Prosecution Service between April 2008 and April 2018 due to the death of the victim?*
2. *The nature of the offence or offences in each instance.*

In response to the questions 1 and 2, I can advise that there is no requirement to record the reason for the withdrawal of a case on the PPS Case Management System. It is likely that such information may be contained within individual case files. 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 Unit, 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,

PPS FOI Section