



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

FOI 1245-18/19

Via email: [REDACTED]

18 October 2018

Dear [REDACTED]

I refer to your email dated 18 September 2018 in which you asked for information on cases that have been adjourned in order for the PPS to provide additional evidence and documentation for the trial that was not available at the trial's opening.

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:

Under Freedom of Information, please provide me with the following:

- How many cases in Northern Ireland were adjourned for the PPS to provide additional evidence or documentation? Could this please be broken down by court (if this does not exceed the cost limit) and also by offence (if this also does not exceed the cost limit).*

- How many of these adjourned cases resulted from the PPS failing to provide documents relating to the mental health of either the defendant or the victim? Please break this down into both categories, unless this exceeds the cost limit.

Could these figures be broken down into each of the last three years to August - or, if data is not yet available for August, then to the most recent month that data is available for. If this exceeds the cost limit then please just provide data for the maximum number of years possible without exceeding the cost limit, beginning with the last year. Alternatively, if compiling the data for one full year exceeds the data cost, then please submit data for each of the last three months for which data is available."

As outlined in our telephone conversation on 11 September 2018, we do not hold information on the number of cases where there was an adjournment by the PPS in the precise circumstances outlined in your request (i.e. for additional evidence or documentation, including documents relating to the mental health of either the defendant or the victim).

However in order to provide you with as much detail as possible, we have supplied the attached spreadsheet which sets out data on cases where an adjournment was recorded as being requested by the PPS (Prosecution), and involving a range of adjournment reasons which were identified as having the greatest relevance to your query (see list below). The data cover the three year period to 31 July 2018.

To place this information in context, over the three year period there was a total of 73,872 court cases (Crown Court / Magistrates' Court / Youth Court / Court of Appeal) in which an adjournment was recorded. Analysis shows the following agencies as being responsible for adjournments in these cases:

Number of cases with an adjournment as requested by -

Court 31,545

Defence 61,561

Prosecution 38,622

Please note that the number of adjourned cases attributed to Court / Defence / Prosecution exceeds the total number of cases with an adjournment as more than one adjournment can be recorded on an individual case – that is, a single case may contain one or more adjournments by the Defence, Court and/or Prosecution.

Looking at the adjournment figures for the Prosecution, 28,985 of the 38,622 cases contained an adjournment which fell into one of the following categories which would relate most closely to the provision of information or evidence:

Adjournment reason

- *Not Ready - Direction*
- *Not Ready - Fingerprints*
- *Not Ready - Forensics*
- *Not Ready - General*
- *Not Ready - Medical*
- *Not Ready - Phone Analysis*

Other adjournment reasons relating to the Prosecution include, for example, 'to fix a date' (17,847 cases), 'applications' (1,620 cases) and 'witness absent' (692).

The individual tables in the spreadsheet should be read in conjunction with the notes provided.

Finally, please note that the statistics provided are based on information recorded by the Northern Ireland Courts and Tribunals Service, which are shared with the PPS via the Causeway Data Sharing Mechanism. As such, this information has not been validated or otherwise quality assured by the PPS.

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,

PPS FOI Section