



Home Office

Crime and Policing Group
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Reference: 38923

6 April 2016

Dear Sir,

Thank you for your e-mail of 12 March to the Home Office in which you raised the following question:

Under subsection (2) of Section 26 of the Criminal Justice and Courts Act 2015 a police officer "is liable, on conviction on Indictment, to imprisonment for a term not exceeding 14 years or a fine (or both)" if he fails under subsections (5) and (6) of the 2015 Act to exercise a power for the purpose of achieving the detriment of another person.

Within the last few months Humberside police has, to my knowledge, stated the following in relation to two separately reported incidents of perjury; - one committed by North East Lincolnshire Council, and the other by two members of the public in their witness statements which were outright lies.

Please disclose all related material (statutory or policy) which lawfully permits or advises police forces that they may refuse to investigate allegations of perjury unless a request to do so comes from the court.

Your request has been handled as a request for information under the Freedom of Information Act 2000.

With regards to your request I can inform you that the Home Office does not hold the information which you have requested.

The Criminal Justice and Courts Act 2015 falls under the direction and control of the Ministry of Justice and therefore any specific questions you have about this Act should be directed to the Ministry of Justice.

Decisions around police evidence gathering, investigations and charging are operational matters for the Chief Officer of the force concerned. Any questions you may have about how a particular force has acted in a particular case should be raised with that force directly.

I would also like to inform you that should you be dissatisfied with the service you have received from the police in this instance, you can make a complaint under Part 2 of the Police Reform Act 2002.

Information on how you can make a complaint can be found at: www.ipcc.gov.uk.

If you are dissatisfied with this response you may request an independent internal review of our handling of your request by submitting a complaint within two months to the address below, quoting reference: 38923. If you ask for an internal review, it would be helpful if you could say why you are dissatisfied with the response.

Information Rights Team
Home Office
Third Floor, Peel Building
2 Marsham Street
London SW1P 4DF
e-mail: foirequests@homeoffice.gsi.gov.uk

As part of any internal review the Department's handling of your information request will be reassessed by staff who were not involved in providing you with this response. If you remain dissatisfied after this internal review, you would have a right of complaint to the Information Commissioner as established by section 50 of the Freedom of Information Act.

Yours faithfully,

L Gregson