



FREEDOM OF INFORMATION REQUEST



Request Number: F-2019-02297

Keyword: Crime

Subject: Undetected Homicide Cases

Request and Answer:

Your request for information below has now been considered. In respect of Section 1(1)(a) of the Freedom of Information Act 2000 (FOIA) I can confirm that the Police Service of Northern Ireland does hold the information you have requested however it is estimated that the cost of complying with your request for information would exceed the “appropriate costs limit” under Section 12(1) of the Freedom of Information Act 2000.

Definition of terms for clarity:

Homicide – The unlawful killing of a person, to include murder and all categories of manslaughter.

Detected homicide case – a solved homicide case whereby a person(s) has been charged or has died prior to charges being brought.

Undetected homicide case – a currently unsolved homicide case.

Undetected homicide case review – the review of all evidence in relation to an undetected homicide case.

Request 1

How many reported undetected homicide cases are there within your jurisdiction currently?

Request 2

Do you currently have a team solely responsible for the review of undetected homicides?

Request 3

What is the current standard undetected homicide case review frequency within your jurisdiction?

Request 4

During the years 2011 – 2014 (inclusive), how many undetected homicide cases were reviewed within your jurisdiction?

Request 5

During the years 2011 – 2014 (inclusive), how many undetected homicide cases were detected within your jurisdiction?

Request 6

Does your jurisdiction currently have a Forensic Archaeologist to be called upon as required?

Request 7

During the years 2011 – 2014 (inclusive), how many undetected homicide case reviews utilised Forensic Archaeology?

Request 8

During the years 2011 – 2014 (inclusive), how many undetected homicide cases were detected as a result of Forensic Archaeology?

Answers

Section 17(5) of the Freedom of Information Act 2000 requires the Police Service of Northern Ireland, when refusing to provide such information (because the cost of compliance exceeds the appropriate limit) to provide you the applicant with a notice which states that fact.

It is estimated that the cost of complying with your request for information would exceed the “appropriate costs limit” under Section 12(1) of the Freedom of Information Act 2000. Section 12 of FOIA allows a public authority to refuse to deal with a request where it estimates that it would exceed the appropriate limit to either comply with the request in its entirety or confirm or deny whether the requested information is held. The estimate must be reasonable in the circumstances of the case. The ‘appropriate limit’ is currently £600 for central government and £450 for all other public authorities including PSNI. The relevant Regulations which define the appropriate limit for section 12 purposes are The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulation 2004 SI 2004 No 3244. These are known as the ‘Fees Regulations’ for brevity.

Regulation 4(3) of the Fees Regulations states that a public authority can take into account the costs it reasonably expects to incur in carrying out the following permitted activities in complying with the request:

- (i) determining whether the information is held;
- (ii) locating the information, or a document containing it;
- (iii) retrieving the information, or a document containing it; and
- (iv) extracting the information from a document containing it.

Under those regulations PSNI can calculate the time spent on each of these permitted activities at £25 per hour (thus if the activity(s) takes more than 18 hours PSNI will be in excess of the ‘appropriate limit’).

The information requested is not held in a central location and would require manual and electronic intervention. For the time period of your request it also spans over various Record Owners and one PSNI Record Owner has advised that there are a total of 3222 cases and as they are not stored in a searchable format would require manual intervention which would grossly exceed the FOI legislative cost of 18 hours as set by the Secretary of State.

In accordance with the Freedom of Information Act 2000, this letter should be considered as a Refusal Notice, and the request has therefore been closed.

You may wish to submit a refined request in order that the cost of complying with your request may be facilitated within the ‘appropriate limit’. In compliance with Section 16 of the Act, I have considered how your request may be refined to bring it under the appropriate limit: it may be possible to provide a response to request numbers 2 and 6. Submission of a refined request would be treated as a new request, and considered in accordance with the Freedom of Information Act 2000, including consideration of relevant Part II exemptions.

If you have any queries regarding your request or this decision please do not hesitate to contact me

on 028 9070 0164. When contacting the Corporate Information Branch, please quote the reference number listed at the beginning of this letter.

If you are dissatisfied in any way with the handling of your request, you have the right to request a review. You should do this as soon as possible or in any case within two months of the date of issue of this letter. In the event that you require a review to be undertaken, you can do so by writing to the Head of Corporate Information Branch, PSNI Headquarters, 65 Knock Road, Belfast, BT5 6LE or by emailing foi@psni.pnn.police.uk.

If following an internal review, carried out by an independent decision maker, you were to remain dissatisfied in any way with the handling of the request you may make a complaint, under Section 50 of the Freedom of Information Act, to the Information Commissioner's Office and ask that they investigate whether the PSNI has complied with the terms of the Freedom of Information Act. You can write to the Information Commissioner at Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. In most circumstances the Information Commissioner will not investigate a complaint unless an internal review procedure has been carried out, however the Commissioner has the option to investigate the matter at his discretion.

Please be advised that PSNI replies under Freedom of Information may be released into the public domain via our website @ www.psni.police.uk

Personal details in respect of your request have, where applicable, been removed to protect confidentiality.