



FOI ref no: 14306

22nd April 2022

Freedom of Information request: reference 14306 first notified to us by email on 11th April 2022.
Thank you for your recent request under the Freedom of Information Act 2000, as detailed below:

You hold a file for Judith Roberts murder on 7th June 1972 in Wigginton

Could you please confirm:

- a That Judith's clothing was preserved and still held*
- b When was the last review of this case*
- c As it is coming up to 50 years whether the case will be reviewed with regards to testing the clothing with the new forensic and DNA techniques currently available, in order to identify a crime scene sample*
- d Whether any new crime scene sample will be tested against Andrew Evans*

Staffordshire Police's response to your enquiry is as follows:
Staffordshire Police does hold some of the requested information.

Could you please confirm:

- a That Judith's clothing was preserved and still held*

In accordance with Section 17(1) of the Freedom of Information Act, this letter represents a refusal notice for this question as Staffordshire Police can neither confirm nor deny that any it holds the information you requested as it believes the duty in s1(1)(a) of the Freedom of Information Act 2000 (the duty to confirm whether the public authority holds information of the specified description), does not apply, by virtue of the following exemptions:

Section 30(3) – Criminal Investigations.

Section 30 is a class based exemption and consideration must be given as to whether there is a public interest in neither confirming nor denying the information exists is the appropriate response.

Factors favouring Confirming or Denying for Section 30

Confirming or denying whether information exists relevant to this request would lead to a better informed general public identifying that the Staffordshire Police robustly investigate offences. This would further promote public trust in providing transparency and demonstrating openness and accountability into where the police are currently focusing their investigations.

Factors favouring Neither Confirming Nor Denying for Section 30

This relates to a murder investigation. To confirm or deny whether or not the victim's clothing was held could hinder the prevention and detection of crime and cause offenders to take evasive

action to avoid detection/prosecution. Any release of information relating to ongoing investigations could prejudice and undermine those investigations. The prevention and detection of such matters could therefore be hindered and therefore risk interference with evidence, which could have detrimental impact on future investigations. In addition the right to a fair trial could be undermined.

Balance test

Disclosure under the Freedom of Information Act is a release of information to the world in general and not an individual applicant. Having considered the public interest factors I am required to determine whether on balance the factors favouring disclosure outweigh those which are against disclosure. It is my view that the factors favouring disclosure do not outweigh those which favour non-disclosure of the requested information.

b When was the last review of this case
March 2011.

c As it is coming up to 50 years whether the case will be reviewed with regards to testing the clothing with the new forensic and DNA techniques currently available, in order to identify a crime scene sample
No information held.

Please note that the FOI Act 2000 only extends to requests for recorded information. It does not require public authorities to answer questions generally; only if they already hold the answers in recorded form. The Act does not extend to requests for information about policies or their implementation, or the merits or demerits of any proposal or action.

d Whether any new crime scene sample will be tested against Andrew Evans
No information held.

Please note that the FOI Act 2000 only extends to requests for recorded information. It does not require public authorities to answer questions generally; only if they already hold the answers in recorded form. The Act does not extend to requests for information about policies or their implementation, or the merits or demerits of any proposal or action.

If you are dissatisfied with the handling of your request, you have the right to ask for an internal review. Internal review requests should be submitted within two months of the date of receipt of this email and should be addressed to:

foi@staffordshire.police.uk

Or by Post to:

Central Disclosure Unit
Staffordshire Police HQ
PO Box 3167
Stafford
ST16 9JZ

Please remember to quote the reference number in any future communications.

Freedom of Information

Central Disclosure Unit

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