

One Kemble Street

London

WC2B 4TS

T: 020 7210 1189

F: 020 7210 1186

<http://www.justiceinspectorates.gov.uk/hmcpsi/>

12 March 2018

1. Thank you for your freedom of information request dated 18 January which unfortunately was not received by this office until 12 February. In your request you asked for information in respect of HMCPSI’s joint report with HM Inspectorate of Constabulary, Making it fair: The disclosure of unused material in volume Crown Court cases (18 July 2017) (henceforth ‘the report’).

2. The information requested is as follows:

*1. Available transcripts or notes from the “police focus groups” referred to at paragraph 4.6 of the report, with any personal data (such as names of the participants) redacted;*

*2. Available transcripts or notes from the “prosecution focus groups” referred to at paragraph 5.2 of the report, with any personal data (such as names of the participants) redacted;*

*3. Available transcripts or notes of the conversations with judges referred to at paragraphs 7.1 and 7.2 of the report, with any personal data (such as names of the judges) redacted;*

*4. Copies of all survey responses of the kind referred to at paragraph 8.5 of the report, with any personal data (such as the names of respondents) redacted;*

*5. The names of the police forces who reported “that they have previously engaged experts who have provided training which was subsequently shown to be wrong” (paragraph 10.4) and the text of these reports;*

*6. Of the “eight cases in both our case file samples which had unresolved disclosure issues relating to witness credibility” (paragraph 5.8), what steps, if any, have been taken to notify the convicted defendants in these cases or their representatives of this?*

*7. Regarding each of the six case studies outlined in the report (on pages 13, 15, 16, 18 and 22), what action, if any, has been taken in relation to the individual police officers or prosecutors found to be at fault?*

*8. Copies of earlier drafts of the report including any tracked changes and comments.*

3. I can confirm that we do hold some material in scope of your request. We consider that Sections 40 and 41 are engaged in respect of some of the information with regard to requests 1, 2, 3 and 4 above and is therefore exempt information within the meaning of the Freedom of Information Act 2000. This is because Section 40 applies to some of the information (it being personal information). We note that you are in any event content for such information to be redacted. In addition, some of the information was provided in confidence, and therefore Section 41 is applicable in respect of information not covered by Section 40 but from which individuals could be identified. We are therefore unable to provide that information. We also consider that in respect of the information as a whole, Section 33 is engaged and we are considering the public interest balance in respect of the various categories requested. We require further time to do this, and aim to respond by 16 March.