



Section 17 Notice under the Freedom of Information Act 2000

WITHHOLDING INFORMATION

Section 30(1)(a)(i) – Investigations and proceedings conducted by public authorities

(1) Information held by a public authority is exempt information if it has at any time been held by the authority for the purposes of—

(a) any investigation which the public authority has a duty to conduct with a view to it being ascertained—

(i) whether a person should be charged with an offence.

This is a qualified exemption which means that the decision to disclose the requested material is subject to the public interest test.

The public interest factors taken into account in this case are explained below:

Public interest factors for disclosure

To increase public understanding of the CPS decision making and prosecuting process. In addition, transparency may increase public confidence in the CPS.

Public interest factors against disclosure

There is a strong public interest in safeguarding the prosecution process. Maintaining the confidentiality of communications between the Police and the CPS, as well as other public bodies is an essential part of this process. It is important for officials to be able to freely justify and maintain their thought process when making decisions on criminal cases, without fear of the routes leading to those decisions later being disclosed into the public domain.

In this request, we consider factors against disclosure to be greater than those in favour of disclosure.

Section 40(2) – Personal Data Relating To Third Parties

The information you have requested contains personal data. Personal data can only be released if to do so would not contravene any of the data protection principles as outlined in Data Protection Act 2018 and set out by Article 5 of the General Data Protection Regulation (GDPR)

Personal data shall be processed lawfully, fairly and in a transparent manner

We believe releasing the requested information into the public domain would be unfair to the individuals concerned; these individuals have a clear and strong expectation that their personal data will be held in confidence and not disclosed to the public under the FOI Act.