

Our Ref: IM-FOI-2022-0616
Date: 25 March 2022



FREEDOM OF INFORMATION (SCOTLAND) ACT 2002

I refer to your recent request for information which has been handled in accordance with the Freedom of Information (Scotland) Act 2002.

For ease of reference, your request is replicated below together with the response.

Can you please provide the number of unsolved/ongoing murder enquiries Police Scotland currently has open please?

Having considered your request in terms of the above Act I can advise you that Police Scotland does not use the term 'unsolved' or "solved" but rather uses Resolved, Unresolved and Undetected.

Unresolved Homicides:

Unresolved homicides are considered those where:

- (a) No suspect has been identified
- (b) A suspect has been identified but not charged (no proceedings)
- (c) A suspect has been identified and charged but not placed on petition (no proceedings)
- (d) A suspect has appeared on petition but no indictment served due to there being considered an insufficiency of evidence at that time (no proceedings)
- (e) A suspect has been indicted and a trial concluded which has resulted in an acquittal (Not Guilty/Not Proven)
- (f) A suspect has been convicted but acquitted on appeal and no fresh prosecution has been authorised by the Appeal Court (Not Guilty)
- (g) A suspect has committed suicide prior to trial and no other person is being sought in connection with the case.

Undetected Homicides:

Undetected Homicides are those cases where no person has been formally identified as an accused or charged with the offence.

The distinction is important as many homicides (particularly those committed during the last few years during the Covid 19 pandemic) are still awaiting court proceedings to bring them to a legal conclusion. In this regard Police Scotland categorise and record these homicides as unresolved.

Homicide Governance and Review conduct reviews of any undetected/unresolved homicides or other major crime investigations to identify any missed investigative opportunities. Members of the department ensure consistency of approach, identify best practice nationally and internationally and promote continuous improvement. This is supported by the debrief process for all homicides and other significant death enquiries which identifies areas for Organisational Learning and Development.

HGR also work in close partnership with COPFS and SPA Forensic Services to review and investigate historic and unresolved homicide enquiries in order to ascertain if there are any new evidential developments, including advances in forensic techniques, which could assist in providing a basis for criminal proceedings.

On that basis I have interpreted your request to refer to 'Undetected Homicides' of which there are 57 in total, including two recorded since the inception of Police Scotland.

Please give details of the victim and when the murder took place in each instance;

Details of the 57 Undetected Homicides are provided in the table below:

	Legacy/Area	Recorded Crime Classification	Date Committed From	Date Committed To	Victim
1	Police Scotland	Murder	11/02/2019	11/02/2019	Rafal Lyko
2	Police Scotland	Murder	18/04/2019	18/04/2019	Anthony Ferns
3	Grampian	Murder	17/06/1981	18/06/1981	Dorothy Park
4	Strathclyde	Murder	05/08/1977	23/04/1979	Anna Kenny
5	Strathclyde	Murder	08/07/1977	12/07/1977	Mary Corcoran
6	Strathclyde	Murder	02/12/1977	04/12/1977	Agnes Cooney
7	Lothian and Borders	Murder	23/05/1970	24/05/1970	Helen Kane
8	Strathclyde	Murder	26/07/1977	27/07/1977	Unnamed Baby
9	Tayside	Murder	20/03/1979		Carol Lannen
10	Tayside	Murder	12/04/1981	14/04/1981	Eliza Connely
11	Strathclyde	Murder	06/10/1977	10/10/1977	Unnamed Baby
12	Northern	Murder	27/11/1983		Hanifan Bibi
13	Lothian and Borders	Murder	01/02/1968	02/02/1968	Catherine Duncan
14	Strathclyde	Murder	29/10/1993		Henry Mckechnie
15	Strathclyde	Murder	04/03/2006	04/03/2006	James Campbell
16	Strathclyde	Murder	10/07/2007	16/07/2007	John Devine
17	Strathclyde	Murder	06/10/2008	06/10/2008	George Redmond
18	Strathclyde	Murder	02/10/2001	03/10/2001	John Hall & David McIntosh
19	Strathclyde	Murder	25/06/2002	25/06/2002	Alexander Blue
20	Strathclyde	Murder	21/10/2003	21/10/2003	Ronald Smith
21	Strathclyde	Murder	24/09/2002	24/09/2002	Gordon Ross
22	Strathclyde	Murder	26/07/2007	26/07/2007	William Bates
23	Strathclyde	Murder	29/12/1978	29/12/1978	George Cunningham

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24	Strathclyde	Murder	09/09/1991	10/09/1991	Andrew Smith
25	Strathclyde	Murder	24/07/1988	24/07/1988	Hugh Hannah
26	Strathclyde	Murder	04/08/1992	04/08/1992	Abdul Maneer
27	Strathclyde	Murder	04/08/1989	05/08/1989	William Harris
28	Strathclyde	Murder	10/03/1978	20/03/1978	Donald Miller
29	Strathclyde	Murder	31/01/1996	01/02/1996	William Weatherall
30	Strathclyde	Murder	08/12/1994		Frederick Mcdonald
31	Strathclyde	Murder	02/10/1977	02/10/1977	Matilda Mcauley
32	Strathclyde	Murder	17/08/1974	19/08/1974	Annie Irvine
33	Strathclyde	Murder	03/09/1965	04/09/1965	Christine Farrell
34	Strathclyde	Murder	17/08/1969	18/08/1969	Jemima Mcdonald
35	Strathclyde	Murder	05/08/1960	05/08/1960	David Hutton
36	Strathclyde	Murder	22/02/1968	23/02/1968	Particia Docker
37	Strathclyde	Murder	31/10/1969	31/10/1969	Helen Puttock
38	Strathclyde	Murder	01/07/1979	01/07/1979	Edward Cotogno
39	Strathclyde	Murder	28/01/1960	28/01/1960	Arthur Still
40	Strathclyde	Murder	10/11/1994	10/11/1994	Shona Stevens
41	Northern	Murder	28/11/2004	28/11/2004	Alistair Wilson
42	Strathclyde	Murder	14/08/1975	15/08/1975	Thomas Wilkinson
43	Northern	Murder	18/02/1989	18/02/1989	James Hassard
44	Strathclyde	Murder	13/10/1973	13/10/1973	Henry Taylor
45	Strathclyde	Murder	05/03/1966	05/03/1966	Catherine Hunter
46	Lothian and Borders	Murder	20/02/1974	20/02/1974	Neil Mccann
47	Central	Murder	14/09/1979	29/09/1979	Dawn Webster
48	Grampian	Murder	23/10/1981	24/10/1981	John Mclean
49	Lothian and Borders	Murder	25/01/1982	25/01/1982	John McIntosh
50	Grampian	Murder	29/09/1983	29/09/1983	George Murdoch
51	Fife	Murder	24/06/1991		Alexander Drummond
52	Lothian and Borders	Murder	08/10/2002	10/01/2003	William Sibbald
53	Tayside	Murder	11/01/1971	11/01/1971	James Keltie
54	Tayside	Murder	12/08/2012		John Mcmurchie
55	Lothian and Borders	Murder	07/04/1983	07/04/1983	Sheila Anderson
56	Lothian and Borders	Murder	19/12/2010	20/12/2010	Robbie Moody
57	Strathclyde	Murder	06/04/1976	07/04/1976	Unnamed Baby

As well as the number of officers assigned to the case;

I have considered your request under the Act and must advise you that I am unable to provide you with the very specific information you have requested, as it would prove too costly to do so within the context of the fee regulations.

As you may be aware the current cost threshold is £600 and I estimate that it would cost well in excess of this amount to process your request.

As such, and in terms of Section 16(4) of the Freedom of Information (Scotland) Act 2002 where Section 12(1) of the Act (Excessive Cost of Compliance) has been applied, this represents a refusal notice for the information sought.

Information of varying degrees of complexity, are frequently requested in terms of Freedom of Information legislation and, as with all information released into the public domain, a corporate responsibility exists to ensure that said information is both accurate and reliable.

Due to the operational nature of the requested information, it is not held in a format which allows us to easily retrieve accurate statistical information. Furthermore, the historical nature of some enquiries means that interrogating the resourcing of such cases across the entire period is problematic as the information is not consistently held in a format which is easily retrievable.

The nature of policing means that officers are deployed to wherever their services are most required. The number of officers required throughout an investigation will fluctuate throughout an enquiry and officers involved in a particular investigation, or multiple investigations, can be redeployed to other duties at any time.

Accordingly, locating and retrieving the information is an exercise that would far exceed the 40 hour time threshold and the cost limitations of the Act.

Could you also state how much each case cost to keep open for 2021?

This information is not routinely recorded as a computerised cost code is not generated for individual enquiries. As such, in terms of Section 17 of the Freedom of Information (Scotland) Act 2002, this represents a notice that the information requested is not held by Police Scotland.

To explain further, total costs relating to any major incident such as a murder enquiry, both relating to the investigation itself and the number of man hours involved, are difficult to quantify. Although local crime divisions may keep a record of hours and approximate costs, these figures cannot be verified and are not calculated by our Finance Department where they include officer hours that would have been on duty anyway and as such are not recorded as a specific expense to a particular investigation. The nature of policing means that officers are deployed to wherever their services are most required.

Furthermore, the number of officers required throughout an investigation will fluctuate throughout an enquiry and officers involved in a particular investigation, or multiple investigations, can be redeployed to other duties at any time, dependant on their skillsets.

As such, there is no definitive information in relation to cost or to which officers were specifically assigned to the case across the period.

Can you also please give details of how many unsolved murders there were on the books for each of the last ten years if possible, or if not available, as far back as possible.

I must advise you that the cost exemption detailed above also applies to this question.

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To clarify, in order to provide an accurate response we would have to interrogate each year's data set and compare information from multiple search parameters to establish an accurate snapshot in each requested timeframe.

I estimate that it would cost well in excess of this amount to process your request and regret to inform you that I am unable to provide you with the information you have requested, as it would prove too costly to do so within the context of the fee regulations.

Homicides are, by their very nature, extensively covered in the media and you may be able to gather some of the information you have requested by searching national media reports.

Equally, if it is of interest, we publish information/ appeals regarding ongoing investigations on our website (although you should note that these will not all relate to homicides) at:

[What's Happening - Police Scotland](#)

If you require further assistance or are dissatisfied with the way in which Police Scotland has dealt with your request, you are entitled, in the first instance, to request a review of our actions and decisions.

Your request must specify the matter which gives rise to your dissatisfaction and it must be submitted within 40 working days of receiving this response - either by email to foi@scotland.pnn.police.uk or by post to Information Management (Disclosure), Police Scotland, Clyde Gateway, 2 French Street, Dalrnarnock, G40 4EH.

If you remain dissatisfied following the outcome of that review, you are thereafter entitled to apply to the Office of the Scottish Information Commissioner within six months for a decision. You can apply [online](#), by email to enquiries@itspublicknowledge.info or by post to Office of the Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, Fife, KY16 9DS.

Should you wish to appeal against the Office of the Scottish Information Commissioner's decision, there is an appeal to the Court of Session on a point of law only.

As part of our commitment to demonstrate openness and transparency in respect of the information we hold, an anonymised version of this response will be posted to the Police Scotland Freedom of Information [Disclosure Log](#) in seven days' time.