

Our Ref: IM-FOI-2022-0880  
Date: 16 May 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.

**Could you please provide a list off all the unresolved murders (as opposed to undetected) Police Scotland currently has open? In each case, can you state the name of the victim and the date of the murder please?**

Having considered your request in terms of the above Act, please be advised that Police Scotland use the following terms of reference;

### 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.

## OFFICIAL

Homicide Governance and Review conduct reviews of any undetected/unresolved homicides or other major crime investigations to identify any 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.

Please note that the dataset includes all unresolved homicides, including those which have been recorded with a crime classification of Culpable Homicide.

On that basis the requested information is attached; *22-0880 Data* refers.

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](mailto:foi@scotland.pnn.police.uk) or by post to Information Management (Disclosure), Police Scotland, Clyde Gateway, 2 French Street, Dalarnock, 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](mailto: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.