



Freedom of Information request ref 01/FOI/25/3677
We received your request on the 10/09/2025.

Request

You asked us:

Officer Failures in Disclosure to the CPS Resulting in Non-Disclosure of Defence-Assisting Evidence

To Whom It May Concern, I am writing to request information under the Freedom of Information Act 2000. I am seeking details relating to cases where police officers have failed to comply with their disclosure obligations to the Crown Prosecution Service (CPS), resulting in the non-disclosure of evidence that may have assisted the defence. Specifically, I am requesting the following information:

- 1. The number of cases within your jurisdiction in which:**
 - * A police officer / investigator failed to disclose evidence to the CPS which would have assisted the defence; and**
 - * As a result, a charge was brought against a defendant that would likely not have been pursued had full disclosure occurred.**
- 2. Of those cases, please confirm:**
 - * Whether the disclosure failure led to the collapse of a case, a mistrial, offer of no evidence or a successful appeal.**
 - * Whether the failure resulted in a misconduct, gross misconduct or criminal investigation investigation into the officer(s) involved.**
 - * The number of officers involved in such cases.**
 - * The outcomes of any investigations into the officers involved, including whether:**
 - * Misconduct or gross misconduct was found.**
 - * Any criminal investigation was initiated.**
 - * Any disciplinary action was taken (e.g. formal warning, suspension, dismissal).**
 - * Any learning or training outcomes were identified or implemented.**
 - * Any cases which resulted in no case to answer for the investigating officer**
 - * The ranks or roles of the officers involved in the investigated cases (e.g. constable, detective, etc.).**
 - * Has the officers line manager / supervisory officer who reviewed the case file before it was sent to the CPS - faced any of the above questions / investigations or sanctions for allowing such failing in disclosure.**
 - * What, if any, learning recommendations, training, or policy changes arose from these cases?**
- 3. Please provide data for the last five years (or as far back as records permit if five years is not possible), broken down by year.**

We have handled your request under the Freedom of Information Act (FOIA)

Our response:

No information held.

In response to this request, our Criminal Justice Unit have undertaken searches for any BTP cases in the past five years finalised with reason code 'D77 Police/investigator cause, including the timeliness and quality of unused materials'.

This returned 18 hits, which were all manually reviewed and did not include any cases meeting the criteria of question 1.

Therefore, we do not hold any recorded information within scope of this request.