

FOI RESPONSE ISSUED - 7 November 2023

REQUEST

Request was in the following terms:

- The number of Criminal ABWOR legal aid applications for opposing applications for commission and diligence regarding sensitive records in criminal proceedings (category code ORD) from September 13 2017 to the present date, with such figures broken down as per SLAB's financial year;
- The number of successful applications (by which is meant LA has been granted under the above code);
- The number of unsuccessful applications (by which is meant LA has been refused following an application under the above code);
- In relation to unsuccessful applications, the reason for refusal (if possible); &
- In relation to both successful and unsuccessful applications, the forum in which the case is being prosecuted (if this information is known).
- The number of Criminal ABWOR legal aid applications for opposing applications for commission and diligence regarding sensitive records in criminal proceedings (category code ORD) from September 13 2017 to the present date in Rape and Attempted Rape cases only.
- The number of successful applications (by which is meant LA has been granted under the above code) in Rape and Attempted Rape cases;
- The number of unsuccessful applications (by which is meant LA has been refused following an application under the above code) in Rape and Attempted Rape cases;
- In relation to unsuccessful applications in Rape and Attempted Rape cases, the reason for refusal (if possible).

OUR RESPONSE TO THE INFORMATION REQUEST UNDER THE 2002 ACT

SLAB response

We respond to each of your questions in turn below:

- *The number of Criminal ABWOR legal aid applications for opposing applications for commission and diligence regarding sensitive records in criminal proceedings (category code ORD) from September 13 2017 to the present date, with such figures broken down as per SLAB's financial year.*

Since September 2017, we have received 41 applications for ABWOR for these cases, broken down by year as follows. The Calendar year is 1 January to 31 December, and the Financial year is from 1 April to 31 March.

Calendar Year Received	Count of Cases	Financial Year Received	Count of Cases
2017	2	2017-18	5
2018	8	2018-19	9
2019	8	2019-20	5
2020	2	2020-21	4
2021	9	2021-22	8
2022	11	2022-23	10
2023	1	Grand Total	41
Grand Total	41		

- *The number of successful applications (by which is meant LA has been granted under the above code).*

SLAB granted all of these 41 cases.

- *The number of unsuccessful applications (by which is meant LA has been refused following an application under the above code).*

No applications were unsuccessful.

- *In relation to unsuccessful applications, the reason for refusal (if possible).*

N/A

- *In relation to both successful and unsuccessful applications, the forum in which the case is being prosecuted (if this information is known).*

Our records do not always show the forum in which the case is being prosecuted. In the 41 cases, we were unable to identify the forum on 16 of these cases. Of the other 25, we were able to identify that 18 were in the High Court, and 7 were in the Sheriff Court.

- *The number of Criminal ABWOR legal aid applications for opposing applications for commission and diligence regarding sensitive records in criminal proceedings (category code ORD) from September 13 2017 to the present date in Rape and Attempted Rape cases only.*

Our records do not always show the nature of the charges where ABWOR applications are received for commission and diligence regarding sensitive records in criminal proceedings. In the 41 cases, we were unable to identify the charges in 16 of these cases. Of the other 25, we were able to identify the charges as follows:

Assault - 2
Attempted Murder - 1
Child Abuse Charges - 4
Lew and Libidinous practices - 1
Murder - 1
Rape - 8
Other Sexual Offences - 8

- *The number of successful applications (by which is meant LA has been granted under the above code) in Rape and Attempted Rape cases.*

SLAB granted all of these cases.

- *The number of unsuccessful applications (by which is meant LA has been refused following an application under the above code) in Rape and Attempted Rape cases.*

None of these cases were unsuccessful.

- *In relation to unsuccessful applications in Rape and Attempted Rape cases, the reason for refusal (if possible).*

N/A