



24 July 2024

FOI Ref 16550

**Request - You asked us the following:**

I would like to see copies of the statements given by Andrew Evans and any interview notes from interviews with Evans for the murder of Judith Roberts that occurred in 1972. This is for a book I am writing on miscarriages of justice

**We received your request on 19/02/2024 and have processed this under the Freedom of Information Act (FOIA).**

**Please find below our response.**

**Staffordshire Police discloses/withholds the following information.**

- I would like to see copies of the statements given by Andrew Evans and any interview notes from interviews with Evans for the murder of Judith Roberts that occurred in 1972. This is for a book I am writing on miscarriages of justice - **Withheld**

**The above information has been withheld for the following reasons:**

**Andrew Evans was wrongly convicted for the murder of Judith Roberts, with Evans's conviction being overturned by the court of appeal in 1997. As a result this matter remains a live and ongoing investigation and is subject to periodical review, the last occurring within the last 3 years. Disclosure of the requested information into the public domain would therefore undermine the ongoing investigative process and highlight lines of enquiry and actions taken throughout. This would be likely to have widespread implications to police activities, not only for the ongoing investigation of this matter but also for future investigations, and would be highly likely to cause significant harm to the law enforcement function of Staffordshire Police.**

**The following exemptions have been applied:**

- **Section 30(1)(a)(b) – Criminal Investigations**  
Section 30 is qualified and prejudice-based and, as such, we are required to evidence the harm in disclosure and apply the public interest test.
- **Section 31(1)(a)(b) – Law Enforcement**
- **Section 40(2) Personal Information**

**Section 40(2) is an absolute exemption which means that there is no need to quantify the harm that may arise from the disclosure; neither is it subject to a public interest test.**

**To release personal or third-party information held by Staffordshire Police, would breach the data protection principles; namely –**



- Data is lawfully and fairly processed.
- Processed in line with an individual's rights.
- Data is secure.

Personal and third-party information cannot be released under the Freedom of Information Act.

Disclosure under Freedom of Information is a release of information to the world in general and not an individual applicant.

### Public Interest Test

#### Factors favouring Disclosure for – Section 30(1)

In addition to the basic premise of being open and transparent, disclosure of the requested information would improve public knowledge in the workings of the police to investigate such crimes and apprehend offenders, thus reassuring them that robust and effective measures, procedures and processes are in place to tackle such crime and offending.

#### Factors favouring non disclosure for – Section 30(1)

Disclosure of the requested information during a live and ongoing investigation carries the strong potential to undermine the investigative process; therefore, having a negative impact not only upon the investigation itself but also upon how Staffordshire Police conducts such investigations in the future. Staffordshire Police is charged with enforcing the law, preventing and detecting crime and protecting the communities we serve. Any release of information relating to ongoing investigations could prejudice and undermine those investigations. Henceforth, the prevention and detection of such matters could therefore be jeopardised and risk interference with the chain of evidence. This would therefore have detrimental impact on future investigations and additionally the right to a fair trial could be undermined.

#### Factors favouring disclosure - Section 31(1)(a)(b)

In addition to conforming to the basic premise of being open and transparent, disclosure of the requested information would provide the public with information upon how such crime and offending is investigated and may reassure them that robust processes are employed.

#### Factors favouring non-disclosure - Section 31(1)(a)(b)

The disclosure of the information sought would highlight the approach taken in regard to this case and may reveal the methodology employed by Staffordshire Police in the investigation of this type of crime; therefore, disclosing law enforcement tactics, strategies and an overview of the Modus Operadi employed within any such investigation.

Whilst not questioning the motives of this request, it is well known that criminals and other adversaries monitor information disclosed via Freedom of Information and disclosure of this information would afford such individuals the opportunity to research methods and adopt strategies to avoid detection in similar circumstances.



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**There is no doubt that this would therefore jeopardise not only this investigation but would have far reaching implications to further investigation of this nature, both current and in the future. This can only be viewed as being detrimental to the law enforcement capabilities of Staffordshire Police and therefore place members of the public at an increased risk of harm or further offending.**

### **Balance test**

**Disclosure under the Freedom of Information Act is a release of information to the world in general and not an individual applicant, as such we must be mindful of the implications such disclosure may hold.**

**The primary functions of Staffordshire Police are protecting the communities we serve, preventing and detecting crime and the administration of justice; when placing information into the public domain we must therefore be mindful of the implications and ramifications any such disclosure would have upon these. Disclosure of any information that would be of detriment to these functions, or place members of the public at an increased risk of harm, can only be considered to be of detriment to the public interest.**

**Having considered the public interest factors, we are required to determine whether on balance the factors favoring disclosure outweigh those which are against disclosure. The potential harm to on going investigations and the broader implications to law enforcement in general clearly show that, in this instance, disclosure would not be in the public's interest.**

**Therefore, for the reasons outlined above, it is our view that, under the current circumstances, the factors favoring disclosure do not outweigh those which favor non-disclosure.**

### **Next steps**

You can ask us to review our response.

If you would like us to carry out a review of our response, please let us know within two months of the date of receipt of this email, review requests should be addressed to:

[foi@staffordshire.police.uk](mailto:foi@staffordshire.police.uk)

Or by Post to:

Central Disclosure Unit  
Staffordshire Police HQ  
PO Box 3167  
Stafford  
ST16 9JZ

Please remember to quote the reference number in any future communications.

Freedom of Information  
Central Disclosure Unit