

Our Ref: 000211/14

Freedom of Information Section
Nottinghamshire Police HQ
Sherwood Lodge, Arnold
Nottingham NG5 8PP

Tel: 101
Ext 800 2507
Fax: 0115 967 2896

10 February 2014

Request under the Freedom of Information Act 2000 (FOIA)

I write in connection with your request for information, which was received by Nottinghamshire Police on 13/01/2014.

Following receipt of your request searches were conducted within Nottinghamshire Police to locate the information you require.

RESPONSE

Under S 1 (1) (a) of the Freedom of Information Act 2000 (FOIA), I can confirm that Nottinghamshire Police does hold the information you have requested.

Please find below answers to your questions:-

1) Under the Freedom of Information Act please can you tell me how many offences listed against criminals in 2013 were allowed to be taken into consideration (TICs)?

1a) Can you breakdown which crimes they were given for?

2) How many criminals had more than 100 TICs in 2013 and for each one please breakdown the offences these were for?

3) How many criminals had more than 50 TICs in 2013 and for each criminal please breakdown the offences these were for?

4) Please can you repeat questions 1-3 for the years 2012 and 2011.

This information is not recorded in an easily retrievable format. Firstly we would have to ascertain how many offenders had been dealt with by means of having the offence Taken Into Consideration (TIC) by Nottinghamshire Police within the time period specified. When a crime is recorded and a charge or disposal is obtained in relation to that offence, only the most serious disposal is recorded against the crime. If a crime involves more than one offender and all receive different disposals (for example, if there are four offenders in relation to an offence – one is charged with the offence, two are given cautions and one is dealt with by means of TIC), the crime will be recorded as ‘charge’ as that is the most serious disposal. Therefore, in order to state how many TIC’s had been given by Nottinghamshire Police, we would have to manually search each crime where a detection had been recorded to ascertain how many individuals within those recorded crimes had been dealt with by way of TIC. To further determine how many previous TIC’s had been received by individuals would also entail multiple searches of the Police National Computer (PNC) to obtain information in respect of that individual’s conviction record. In 2013, Nottinghamshire Police have recorded 65,531 crimes as detected. Each of these records would be required to be searched to ascertain whether a TIC had been involved in the disposal and the offender details of the individual who had received the TIC to cross reference against PNC to establish how many TIC’s that offender had received. It must be noted that this figure shows the number of total crimes which have been detected and not the number of offenders which have been dealt with. Since one crime can involve multiple offenders the actual number of offender records which would be required to be searched on PNC could be significantly higher than this number. It is estimated that to search one record and cross reference that individual against the PNC would take approximately 10 minutes (This is a vastly underestimated figure as to search records where an individual had received up to 100 previous TIC’s could take much longer). This would amount to 10921.83 working hours This would exceed the cost threshold of 18 working hours and engages Section 12 (1) of the Act.

This letter constitutes a refusal notice under Section 17(5) of the Freedom of Information Act 2000 with Section 12(1) of the act being applied

12. – (1) Section 1(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit.

Should you wish for the Force to continue with your request, a more accurate figure will be provided within a fee’s notice. The cost will need to be paid by you, prior to any further investigation. Please advise if you wish to proceed.

Alternatively you are invited to refine your request to bring it within the cost threshold – although given the number of records which would be required to be searched and the way in which crime disposals are recorded, I am unable to suggest a refinement which would bring your request within the cost threshold. It should also be noted that a breakdown of the previous TIC’s of each individual is likely to attract an exemption under Section 40(2): Personal information as individuals could be identified from this information.

Complaints Rights

Your attention is drawn to the enclosed review procedure, which details your right of complaint.

Copyright

Nottinghamshire Police in complying with their statutory duty under Sections 1 and 11 of the Freedom of Information Act 2000 (FOIA) to release the enclosed information will not breach the Copyright, Designs and Patents Act 1988.

However, the rights of the copyright owner of the enclosed information will continue to be protected by law. Applications for the copyright owner's written permission to reproduce any part of the attached information should be addressed to the Force Solicitor, Nottinghamshire Police, Force Headquarters, Sherwood Lodge, Arnold, Nottinghamshire, NG5 8PP.

I would like to take this opportunity to thank you for your interest in Nottinghamshire Police.

Should you have any further enquiries concerning this matter, please write or contact the Freedom of Information Officer on telephone number 0115 9672507 or e-mail freedomofinformation@Nottinghamshire.pnn.police.uk quoting the above reference number.

Yours sincerely

Disclosure Officer

Are you dissatisfied with your response?

Nottinghamshire Police has a duty to implement a complaints process in relation to Freedom of Information Act requests. If you are not content with our response, you may appeal, this process is known as an 'Internal Review'

Internal reviews are intended to be a fair and impartial means of reviewing the original request process.

You can appeal about your request if you:-

- Disagree with the Forces interpretation of your request;
- Believe the Force hold more information than has been disclosed to you;
- Disagree with the application of exemptions;
- Are still waiting for a response and are unhappy with the delay.

How do I appeal?

All appeals should be made in writing and sent to:-

Information Management
Nottinghamshire Police
Force Headquarters
Sherwood Lodge
Arnold
Notts
NG5 8PP

or alternatively freedomofinformation@nottinghamshire.pnn.police.uk

To deal with your appeal as quickly as possible please provide the unique identification number provided with your response and the reasons for your appeal.

Once we have received your request for appeal, your FOI response will be reviewed in full to identify any problems in the disclosure.

The review will be undertaken by someone different from, and preferably senior to, the original decision maker and this should be completed within 20 working days from receipt, in exceptional circumstances it may be extended by a further 20 working days.

What if I'm still not satisfied?

You can appeal to the Information Commissioner. You can contact the Information Commissioner Officer at the following:-

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Tel: 0303 123 1113 (local rate) or 01625 545 745 (national rate)

E-mail: casework@ico.org.uk