

Our Ref: 003011/15



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

Tel: 101
Ext 800 2507
Fax: 0115 967 2896

5 May 2015

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 05/05/2015.

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) In the financial year 2014-5 the total number of incidents of taser firing or stunning (of any type, e.g. drivestun, anglestun) against a mentally ill person (e.g. either known/suspected to have mental health issues, or detained under any section of the Mental Health Act, e.g. 135 or 136.)

2) If possible, please provide some information on each incident. I.e. the age and sex of the person stunned, the circumstances which gave rise to the stunning and the location of the stunning.

NB: If number 2 will be too costly to execute, please ignore it. In addition, if you do not divide data by years, can you simply provide me with the total number of times your force has ever used tasers against mentally ill people.

This information is not recorded in an easily retrievable format. When a Taser is deployed by an Officer, a Taser deployment form is completed. This form contains information concerning the reason and location of the deployment as

well as details concerning the subject of the deployment. The Taser deployment form does not contain the name of the subject or any further information relating to the subjects mental health. To locate information in respect of whether the individual was a repeat subject of a Taser deployment would involve manual searches of each deployment record to ascertain the details of the incident in question and subsequent further searches against incident recording systems to obtain further information as to the individual's identity. We would also have to manually search incident and possibly custody records to obtain any information in respect of the individual's mental health if recorded at all or if the subject was medically examined, we would have to retrieve the individual's Force Medical Examination (FME) report which is not held as part of the custody record.

A previous Freedom of Information request on this subject which was received on 19/03/2015 identified that as of that date a total of 61 records over the 2014/2015 financial year period would be required to be reviewed. This number may have increased in the intervening period. The previous response can be viewed via the following link:

<http://www.nottinghamshire.police.uk/sites/default/files/documents/files/FOI%20001192%2015.pdf>

A sample search took around 30 minutes for one record which would equate to approximately 30.5 working hours. This takes the request over 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 – perhaps by reducing the number of years you require data for, and resubmitting the request.

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;

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 Office 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