

Our Ref: 003476/13



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

**Tel:** 101  
**Ext** 800 2507  
**Fax:** 0115 967 2896

14 May 2013

**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 15 April 2013.

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

Please find below answers to your questions:-

**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 release the number of "Osman Warnings" issued by the force in each of the last ten years, be it financial or calendar years (whichever way you record the information).***

Firstly, it should be acknowledged that there is no such thing as an 'Osman Warning'. What is now commonly referred to as a 'Threat to Life' warning was initially known as an Osman Warning due to the case law which gave rise to it (Osman –v-UK 1998).

Information in respect of threats to life warnings is not recorded in an easily retrievable format. These warnings are not recorded centrally and therefore, to locate, retrieve and extract the requested information requires a manual search of all records held. An initial free text search using the key words



'Osman Warning' or 'threat to life warning' identified in excess of 600 records although we are only able to search records from 2006 due to the Forces Disposal Schedule. Each of these records would be required to be manually searched in order to ascertain whether a threat to life warning was actually issued.

A sample search took around 5/10 minutes for one record which would equate to approximately 50 working hours (at the more conservative estimate of 5 minutes per records). 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 although I cannot make a guarantee that this information would be disclosed should a refined request be submitted.

### **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](mailto:freedomofinformation@Nottinghamshire.pnn.police.uk) quoting the above reference number.

Yours sincerely

**Disclosure Officer**

## **Are you dissatisfied with your response?**

If so, prior to lodging a formal complaint, you are welcome and encouraged to discuss the decision with the case officer that dealt with your request.

### **Ask to have the decision looked at again**

The quickest and easiest way to have the decision reconsidered is to telephone the case officer that is identified at the end of your decision letter.

That person will be able to discuss the decision, explain any issues and assist with any problems.

### **Formal Independent Review**

If you are dissatisfied with the handling procedures or the decision made by Nottinghamshire Police under the Freedom of Information Act 2000, you can request an Independent Review.

Upon receipt for a review of the initial request response, an independent audit officer from Information Management will review the request and assess whether it has been satisfactorily processed in accordance with policy and procedure.

Requests for Independent Reviews requests should be made in writing to-

Force Information Manager  
Nottinghamshire Police  
Force Headquarters  
Sherwood Lodge  
Arnold  
Nottingham  
NG5 8PP

The Audit officer will record and communicate his/her decision to the information requester within 20 working days.

### **Appeals**

If the findings of the formal independent review do not meet your approval, you can register an appeal against the decision.

An investigation will then take place by the Freedom of Information officer, which will be reported and presented to the Internal Appeal Board. This will include a full account of the reasoning for or against disclosure and the application of any relevant exemptions.

The Internal Appeal Board will consist of at least a member of the Chief Officer Team, a member of the Legal Team and the Force Information Manager.

Appeals should be registered in writing to:

Freedom of Information Officer  
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Force Headquarters  
Sherwood Lodge  
Arnold  
Nottingham  
NG5 8PP

Alternatively E-mail: [Freedomofinformation@nottinghamshire.pnn.police.uk](mailto:Freedomofinformation@nottinghamshire.pnn.police.uk)

Or call: 01159672507

**Applications to the Information Commissioner**

If you then remain dissatisfied, you may make an application to the Information Commissioner for a decision on whether the request for information has been dealt with in accordance with the requirements of the Act.

For information on how to make an application to the Information Commissioner, please visit their website at [www.informationcommisioner.gov.uk](http://www.informationcommisioner.gov.uk)

Alternatively, Write to:

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

Or call: 01625 545700.