



NORFOLK
CONSTABULARY
Our Priority is You

Norfolk Constabulary

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Dear

Freedom of Information Request Reference N^o: FOI 003006/16

I write in connection with your request for information received by the Norfolk Constabulary on the 9th August 2016 in which you sought access to the following information:

Please could you send me the number of arrests made for

- A being drunk and disorderly (Section 91 Criminal Justice Act 1967)
- B being drunk and incapable (Licensing Act 1902)
- C being drunk while in charge of a child (Licensing Act 1902)

since 1st January 2013.

Could I have the data broken down by these three categories as well as being broken down by month and location.

Norfolk Constabulary holds information relevant to your request.

Response to your Request

When responding to a request for information under the terms of the Freedom of Information Act, a public authority is not obliged to provide information if the authority estimates that the cost of the retrieval of the information requested would be in excess of £450 (equivalent to 18 hours work).

The costs criteria relates to a request in its entirety, which means that if we cannot retrieve all of the information requested within the costs limit, we are not obliged to retrieve *any* of the information requested.

The Norfolk Constabulary estimates that to retrieve all the information you have requested would exceed cost in excess of £450.

In order to establish what relevant information is held we have contacted our Joint Performance and Analysis Department (JPAD). They have advised that the Constabulary's custody system which was in use until October 2015 does not have a specific arrest category of 'being drunk while in charge of a child'. Therefore it would be necessary to review the details of all arrests for drunk and disorderly and drunk and incapable, in order to see if any refer to a child being present.

This would require the review of over 3,000 custody records at approximately 3-5 minutes each. This would exceed the appropriate limit for dealing with a Freedom of Information request, in terms of costs, and therefore Section 12(1) of the Freedom of Information Act applies.

Section 12(1) of the Freedom of Information Act states that a public authority is not obliged to:

“...comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit”.

The Freedom of Information (Appropriate Limit and Fees) Regulations 2004, defines the ‘appropriate limit’ for the Norfolk Constabulary as £450, and specifies that this sum equates to 18 hours work at a standard rate of £25 per hour.

In accordance with Section 17 of the Freedom of Information Act (2000), this serves as a Refusal Notice for your request.

Advice & Assistance

Although excess cost removes the Constabulary’s obligations under the Freedom of Information Act, as a gesture of goodwill, I have supplied information, relevant to your request, which was retrieved or available before it was realised that the fees limit would be exceeded. I trust this is helpful, but it does not affect our legal right to rely on the fees regulations for the remainder of your request.

Drunk & Disorderly

Month	Year			Total
	2013	2014	2015	
January	84	96	88	268
February	68	95	67	230
March	88	78	74	240
April	83	112	99	294
May	88	112	85	285
June	123	91	69	283
July	85	83	88	256
August	138	115	107	360
September	93	95	84	272
October	88	79	68	235
November	84	87	72	243
December	115	79	67	261
Total	1,137	1,122	968	3,227

Drunk & Incapable

Month	Year			Total
	2013	2014	2015	
January	1	1	0	2
February	3	0	1	4
March	1	0	1	2
April	2	2	1	5
May	2	2	2	6
June	1	0	1	2

July	2	1	1	4
August	0	1	0	1
September	1	0	0	1
October	1	1	0	2
November	1	0	0	1
December	4	0	2	6
Total	19	8	9	36

Drunk in charge of a child under 7

Month	2015
October	1
November	1
Total	2

Please note, the location of each arrest is a freetext field and some records include just a road or partial address. Additionally on many occasions the record will detail the home address of the detained person or a third party. To review each of these to ensure that no personal information is released would likely result in the exemption at section 14(1) – vexatious request. This is because it would be a significant burden to review each of the 3,265 custody records to ensure that no personal information is included in the response. The exemption at section 12 would not apply, as this is classed as redaction which cannot be taken into account for costs purposes.

This response will be published on the Norfolk Constabulary's web-site www.norfolk.police.uk under the Freedom of Information pages at [Publication Scheme - Disclosure Logs](#).

Should you have any further queries concerning this request, please contact me quoting the reference number shown above.