



January 2016

Dear

Freedom of Information Request Reference N^o: FOI 000584/15

I write in connection with your request for information received by the Norfolk Constabulary on the 15th December 2016 in which you sought access to the following information:

This request relates to the following offences set out in the Misuse of Drugs Act 1971:

- i Possession of Cannabis - s.5(1) of the Act;
 - ii Possession of Cannabis with intent to supply - s.5(3) of the Act.
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- 1 For each of these two offences separately, please supply the following data broken down by each year a) 2010, b) 2011, c) 2012, d) 2013, e) 2014 and f) 2015 so far:
 - A The total number of individuals arrested by your force
 - B The total number of individuals cautioned by your force
 - C The total number of individuals charged by your force
 - 2 Please also send copies of all guidance issued to officers relating to Cannabis offences since 1 Jan 2012.

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 information is held, relevant to your request, we have contacted our Joint Performance and Analysis Department. They have advised that with regard to part 1A of your request, the custody database does not record the specific offences in an easily retrievable format. The custody record would show that the arrest was in relation to a 'drug offence' and it would be necessary to review each of these to see which relate to possession of cannabis.

During the period of your request, there were 6,266 arrests for 'drug offences'. To review each of these 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.

The Joint Performance and Analysis Department has provided the figures for question 1B and 1C of your request.

Year	2010		2011		2012		2013		2014		2015	
Offence	Possession Of Cannabis	Possession Of Cannabis With Intent to Supply	Possession Of Cannabis	Possession Of Cannabis With Intent to Supply	Possession Of Cannabis	Possession Of Cannabis With Intent to Supply	Possession Of Cannabis	Possession Of Cannabis With Intent to Supply	Possession Of Cannabis	Possession Of Cannabis With Intent to Supply	Possession Of Cannabis	Possession Of Cannabis With Intent to Supply
Number of Individuals Cautioned	163	4	181	5	201	3	314	14	343	8	210	3
Number of Individuals Charged	276	35	299	45	275	54	292	69	315	80	181	22

With regard to question 2 of your request, there is no central collation of guidance and guidance documents that would have been issued to officers relating to cannabis offences. To retrieve all relevant information would require both a manual and electronic trawl of documents and emails, across almost all departments within the Constabulary since January 2012. This would be a significant task which would also exceed the 18 hour cost limit.