



NORFOLK
CONSTABULARY
Our Priority is You

Norfolk Constabulary

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Dear

Freedom of Information Request Reference N^o: FOI 001769/16

I write in connection with your request for information received by the Norfolk Constabulary on the 25th April 2016 in which you sought access to the following information:

- 1 A record of every breath tests conducted by your force in 2015 and 2016 to date (April 25 or whichever is closest)

Please also provide for each test:

- A date of the test (DD:MM:YYYY)
- B the time of the test (HH:MM)
- C the result in micrograms per 100ml of breath

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 both our Roads Policing Unit and the Joint Performance and Analysis Department (JPAD). The Roads Policing Unit is able to provide the details of the downloads taken from the roadside breath testing machines. JPAD is able to provide details of custody records where the detainee has been arrested for driving with excess alcohol. This information can be provided to 20th October 2015.

A new custody system was introduced in October 2015 which currently holds details of 245 arrests for driving with excess alcohol. Information relating to the breath tests are not held in any easily retrievable format on this system, therefore it would be necessary to manually review each record to see if this information is recorded within the custody log. Based on a minimum of 5 minutes per

record 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.

Additional Information

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 spreadsheet entitled RoadSide refers to information downloaded from the roadside testing kits and has been provided by the Roads Policing Unit. Please note that Excel removes the zero from the times provided, for example the first line shows 114 and this is 0114hrs.

The spreadsheet entitled Custody is information which has been extracted from the custody database which was in place until October 2015. I have added a column which details if the value is a blood or breath reading.