



December 2019

### **Freedom of Information Request Reference N°: FOI 004083/19**

I write in connection with your request for information received by the Norfolk and Suffolk Constabularies on the 12<sup>th</sup> November 2019 in which you sought access to the following information:

The number of police officers who have been employed by Norfolk or Suffolk Police and had a criminal conviction/s when they joined the service, from 2004 to present day.

The number of police officers who have been convicted of a criminal offence/s whilst employed by Norfolk or Suffolk Police as a police officer and remained employed as a police officer following misconduct proceedings, from 2004 to present day

### **Response to your Request**

The response provided below is correct as of 3<sup>rd</sup> December 2019.

Norfolk and Suffolk Constabularies have considered your request and our response is below.

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 and Suffolk Constabularies estimate that to retrieve all the information you have requested would exceed cost in excess of £450 per force.

The Joint Professional Standards Department has undertaken research of their records in order to identify information, relevant to your request. They have advised that they are able to retrieve conviction details relating to officers that are currently employed by the Constabularies or where recent records are held.

With regard to officers who are no longer employed, this information cannot be extracted within the cost limit. It would take extensive research to identify all officers who have left the employment of the forces, since 2004, and then to carry out further enquiries regarding convictions and misconduct proceedings.

It is difficult to accurately gauge the time this would take but it would clearly significantly exceed 36 hours for the two Constabularies.

This would therefore exceed the appropriate limit for dealing with a Freedom of Information request, in terms of cost, 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 and Suffolk Constabularies as £450 each, 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 and Assistance

Although excess cost removes the Constabularies obligations under the Freedom of Information Act, as a gesture of goodwill, we have supplied information, relative 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.

### NORFOLK

Q1 One currently serving officer was convicted of a criminal offence, prior to them joining the Constabulary, between the above dates.

Q2 Two serving officers were convicted of road traffic offences, between the above dates, and remain employed following misconduct proceedings.

One further officer was convicted of a road traffic offence and remained employed following misconduct proceedings. The officer is no longer serving.

One officer was convicted of a criminal offence between the above dates. It was determined that the matter would not progress to misconduct proceedings and the officer received management action. The officer is no longer serving.

### SUFFOLK

Q1 One currently serving officer was convicted of a road traffic offence prior to joining the Constabulary, between the above dates.

Q2 One serving officer was convicted of a criminal offence, between the above dates, and remains employed following misconduct proceedings.

Two serving officers were convicted of road traffic offences during the above dates. It was determined that the matters would not progress to misconduct proceedings and the officers both received management action.

One further officer was convicted of a road traffic offence and it was determined that they would receive management action. The individual is no longer a serving police officer.