



Making Northern Ireland Safer For Everyone Through Professional, Progressive Policing

FREEDOM OF INFORMATION REQUEST



Request Number: F-2010-01016, F-2010-01579, F-2010-01580

Keyword: Crime

Subject: Guns Stolen and Guns Used in Crime

Request and Answer:

Section 12 of the Freedom of Information Act 2000 provides an exemption where the cost of compliance exceeds the appropriate limit. Section 12(4) provides that the Secretary of State may make regulations with regard to this exemption. The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 were made in pursuance of this (and other) subsection(s) of the Act.

Regulation 5 of the Regulations provides that where two or more requests for information are made by one person, (or by different persons who appear to be working in concert), and where the requests relate, to any extent, to the same or similar information, and the requests are received within 60 working days of each other, that the requests may be aggregated for the purpose of calculating costs. In other words the estimated cost of complying with any of the requests may be added together and if the total exceeds the appropriate limit, then the requests may be refused in pursuance of Section 12.

On April 7, 2010 you submitted a request, numbered F-2010-01016 on the subject of legally held guns stolen from homes in Northern Ireland in 2009/10.

On May 5, 2010 you submitted a further request, numbered F-2010-01466 on the subject of guns used in unsolved murders by loyalist paramilitaries.

On June 7, 2010 you submitted two further requests numbered F-2010-01579 and F-2010-01580. The subjects of these requests are legally held guns stolen from homes in Northern Ireland in 2009/10, and the gun used in a particular murder in 2010 respectively.

As the subjects of these four requests are the same or similar and the requests have been received within the stipulated period, these requests have been aggregated for the purpose of calculating fees under the Regulations.

On June 3, 2010 the PSNI issued a partial response to request number F-2010-01016, answering four out of eight questions and stating that no information was held in relation to two other questions. This left two questions outstanding. The cost of retrieving the information in answer to these questions amounted to £443.75, leaving a surplus of only £6.25.

On June 24, 2010 the PSNI issued a response to request number F-2010-01466 indicating that the cost of complying with that request alone would far exceed the amount of £7500.00. An explanation of the estimate was provided and one question was answered notwithstanding the cost issue.

Without calculating fees for the further two requests it can be clearly seen that the estimated, aggregate cost of complying with all of these requests for information would exceed the "appropriate costs limit" under Section 12(4) of the Freedom of Information Act 2000, which is currently set by the Secretary of State at £450.

In accordance with Section 17(5) of the Freedom of Information Act 2000, this letter should be considered as a Refusal Notice, for the following requests:

Request No.	Questions	Subject
F-2010-01016	3 and 7	Guns used in so called punishment/paramilitary style shootings
F-2010-01579	All	Legally held firearms stolen from homes
F-2010-01580	All	Gun used in the murder of a named individual

These requests have therefore been closed. A refusal notice for request number F-2010-01466 has previously been forwarded.

In compliance with the duty of the PSNI to provide advice and assistance under Section 16 of the Act I have considered how I can be of assistance in terms of helping you to refine your request so that you may receive some further information, but I find this impossible as information has already been provided up to within £6.25 of the appropriate limit.