



FREEDOM OF INFORMATION REQUEST



Request Number: F-2012-01908

Keyword: Crime

Subject: Cautions for Burglary

Request and Answer:

Question 1

How many people arrested for robbery/burglary during each of the last five years (2007 - 2011) and the first four months of this year (January to May) were dealt with using a caution or official warning, instead of facing a criminal hearing?

Question 2

How many people arrested for robbery/burglary where the victim was aged 65 or over during each of the last five years (2007 - 2011) and the first four months of this year (Jan to May) were dealt with using a caution or official warning, instead of facing a criminal hearing?

Answer

Section 17(5) of the Freedom of Information Act 2000 requires the Police Service of Northern Ireland, when refusing to provide such information (because the cost of compliance exceeds the appropriate limit) to provide you the applicant with a notice which states that fact.

It is estimated that the cost of complying with your request for information would exceed the "appropriate costs limit" under Section 12(1) of the Freedom of Information Act 2000, which is currently set by the Secretary of State at £450.

The information for 2007 until November 2008 is held on a separate system from the information from December 2009 to 2012. This is because electronic case file sharing commenced with the Causeway system on 01/12/2012.

The later information (2009 to 2012) has been retrieved within 16 hours. However to retrieve the information for 2007 and 2008 would involve a creation of a programme to extract it. It has been estimated that this task would take a further 8 hours, pushing your request over the appropriate cost limit.

In accordance with the Freedom of Information Act 2000, this letter should be considered as a Refusal Notice, and the request has therefore been closed.

You may wish to submit a refined request in order that the cost of complying with your request may be facilitated within the 'appropriate limit'. In compliance with Section 16 of the Act, I have considered how your request may be refined to bring it under the appropriate limit. As the information from 2009

to 2012 has been retrieved within the cost threshold, I have provided it below. Unfortunately the nature and structure of the remainder of the information makes it impossible to refine.

Submission of a refined request would be treated as a new request, and considered in accordance with the Freedom of Information Act 2000, including consideration of relevant Part II exemptions.

Although excess cost removes the PSNI's obligations under the Freedom of Information Act, as a gesture of goodwill, I 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. Please see below;

Question 1

Number of people arrested for robbery/burglary and dealt with using a caution or official warning instead of facing a criminal hearing

2009: 22 Please note these figure include cautions issued from 01/12/2009 onwards only.

2010: 84

2011: 60

2012: 11

Question 2

Number of people arrested for robbery burglary where the victim was aged 65 or over and dealt with using a caution or official warning, instead of facing a criminal hearing.

2009: 0 Please note these figure include cautions issued from 01/12/2009 onwards only.

2010: 13

2011: 4

2012: 2

If you have any queries regarding your request or this decision please do not hesitate to contact me on 028 9070 0164. When contacting the Freedom of Information Team, please quote the reference number listed at the beginning of this letter.

If you are dissatisfied in any way with the handling of your request, you have the right to request a review. You should do this as soon as possible, or in any case within two months of the date of issue of this letter. In the event that you require a review to be undertaken, you can do so by writing to the Head of Freedom of Information, PSNI Headquarters, 65 Knock Road, Belfast, BT5 6LE or by emailing foi@psni.pnn.police.uk.

If following an internal review, carried out by an independent decision maker, you were to remain dissatisfied in any way with the handling of the request you may make a complaint, under Section 50 of the Freedom of Information Act, to the Information Commissioner's Office and ask that they investigate whether the PSNI has complied with the terms of the Freedom of Information Act. You can write to the Information Commissioner at Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. In most circumstances the Information Commissioner will not investigate a complaint unless an internal review procedure has been carried out, however the Commissioner has the option to investigate the matter at his discretion.

Please be advised that PSNI replies under Freedom of Information may be released into the public domain via our website @ www.psni.police.uk

Personal details in respect of your request have, where applicable, been removed to protect confidentiality.