



FREEDOM OF INFORMATION REQUEST



Request Number: F-2012-01181

Keyword: Crime

Subject: Legal Profession Crime

Request and Answer:

Question 1

Under the Freedom of Information Act, will you please disclose, for the years 2005 to 2011 inclusive:

How many allegations of fraud, financial, white collar, or indeed any type of crime implicating, either directly or indirectly, a member of the legal profession have been reported to the force?

Question 2

How many of these allegations were logged in police records, and assigned a crime report number?

Question 3

How many of these allegations were referred to the Solicitors' Regulation Authority, Law Society, or any other regulatory body, in lieu of a police investigation?

Question 4

How many were considered "civil matters"?

Question 5

How many investigations did the force complete as a result of these allegations?

Question 6

How many of these allegations were not investigated by the force?

Question 7

How many of these investigations were completed as paid services under the private hire of the police for the performance of special services under the 1996 Police Act provision?

Question 8

How many of these investigations resulted in charges being laid?

Question 9

Under the normal course of police duties and ii) under private company hire for the performance of special services?

Question 10

How many resulted in convictions i) under the normal course of police duties and ii) under private company hire for the performance of special services?

Question 11

Please detail the type of crime, the year in which the allegation was made, and the year in which the investigation was completed.

Question 12

Please advise how many police staff have qualifications in forensic accounting, and what those qualifications are.

Question 13

Please advise how many times private contractors have been hired by the force for the purpose of forensic accounting work during a fraud/white collar crime investigation.

Question 14

How many of these allegations have culminated in charges being laid against the complainant as a vexatious litigant?

Question 15

How many of these allegations have resulted in arrest warrants being issued against the complainant?

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 (18 hours).

The information you have requested is not recorded centrally and therefore it was necessary to canvass all districts within PSNI for their estimates to retrieve the information. One district alone has confirmed that allegations are recorded on the PSNI's Command & Control system and allocated a serial reference. However each record would require examination to ascertain the nature of the allegation. This particular district has in excess of 100 serials on a daily basis. Allowing 5 minutes to check each serial would take approximately 8 hours per day and the process is estimated to take approximately 3000 hours, for 1 year only. This estimate in addition to the other districts over a 7 year period would grossly exceed the cost limit of 18 hours.

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; however the nature and structure of the information, unfortunately makes this impossible.

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, I have provided below the information which was retrieved from Central Statistics Unit detailing recorded offences since detected having a linked offender with an occupation classed as 'legal', prior to realising that the fees limit would be exceeded. It should be noted that these figures are subject to change. I trust this is helpful but it does not affect our legal right to rely on the fees regulations for the remainder of the request.

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.

Recorded offences since detected having a linked offender with an occupation classed as 'legal'

Northern Ireland

Please Note: These figures are based on information taken from a live crime recording system and will be subject to change

Reported In	Recorded and since detected
1 st April – 31 st December 2007	7
2008	4
2009	7
2010	18
2011	5

Source: PSNI Statistics Branch

Detections

Detections (or clearances as they may alternatively be known) are, broadly speaking, those crimes that have been 'cleared up' by the police. Crimes are counted as 'detected or cleared' in accordance with strict counting rules issued by the Home Office. They are counted on the basis of crimes rather than offenders. For example, if six offenders are involved in a robbery and are all arrested and charged, then this counts as one detection (i.e. the robbery is deemed to be 'detected'). Alternatively if only one of the six is identified and charged while the other five remain unidentified and at large, this also means that the robbery can still be deemed as 'detected'.

The following methods of detection involve a formal sanction:

- Charging or issuing a summons to an offender;
- Issuing a caution to the offender;
- Having the offence accepted for consideration in court;
- The offender is a juvenile who is dealt with by means of an informed warning, restorative caution or prosecutorial diversion.

In addition, for the most serious offence types ('indictable only' – see recorded crime paragraph above for explanation) a non sanction detection can be claimed if:

- The Public Prosecution Service (PPS) directs no prosecution; or
- The case cannot proceed because the offender has died.