



## FREEDOM OF INFORMATION REQUEST



**Request Number:** F-2012-01675

**Keyword:** Crime

**Subject:** Production Orders

**Request and Answer:**

### Question 1

How many production orders have been issued by the PSNI in each of the last five years?

### Question 2

What were the details of each production order?

### Question 3

Was each production order granted by the courts?

### Question 4

What was the total cost of issuing each order, broken down into court costs, legal costs and police logistic and personnel costs?

### Answer

Section 17(5) of the Freedom of Information Act 2000 requires the Police Service of Northern Ireland (PSNI), 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.

Production Orders can be made under various pieces of legislation, although the most common are Police and Criminal Evidence Order (PACE), Proceeds of Crime Act 2002 (POCA) and the Terrorism Act 2000 (TACT) and any police officer can apply for a production order.

As there is no central register of production orders obtained by the PSNI the information is therefore not held in an easily retrievable format and it would be over the fees to locate, retrieve and extract. Information of this nature is embedded into different police records, both electronic and paper based, and is not held in one central location. Therefore each District and Department would have to be consulted. The research to even locate and retrieve the requested information would require both a manual and electronic case by case search. This would necessitate trawling through records/individual investigation files. It is therefore 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 (i.e.18 hours work).

As outlined above even to address question 1 alone would be well in excess of the 18 hours appropriate limit. Please note that when one part of a request exceeds the cost limit the whole request is considered over the cost.

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.

### **Section 16 – Duty to provide advice and assistance**

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. Although PSNI would hold information regarding production orders as mentioned previously they would be embedded in different records and held in various systems. Therefore, due to the nature and structure of the information requested this would make it extremely difficult for the PSNI to advise you how to refine your request to a point below the £450 cost limit.

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.

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](mailto: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](http://www.psni.police.uk)

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