



## FREEDOM OF INFORMATION REQUEST



**Request Number:** F-2018-02525

**Keyword:** Crime

**Subject:** Assaults on N Ireland Ambulance Staff

### Request and Answer:

Your request for information below has now been considered. In respect of Section 1(1)(a) of the Freedom of Information Act 2000 (FOIA) I can confirm that the Police Service of Northern Ireland does hold the information you have requested however 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.

### Request

If you could supply the Northern Ireland Ambulance Service with information on how many members of the public (within Northern Ireland) have been put forward to the PPS for prosecution for verbal/physical assaults on our staff?

We understand that this may be a difficult process but any information would be greatly received by our Operational Staff.

### Clarification received:

Regarding the reference above, would it be possible to get assaults dating from April 2015 to present?

### 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. Section 12 of FOIA allows a public authority to refuse to deal with a request where it estimates that it would exceed the appropriate limit to either comply with the request in its entirety or confirm or deny whether the requested information is held. The estimate must be reasonable in the circumstances of the case. The ‘appropriate limit’ is currently £600 for central government and £450 for all other public authorities including PSNI. The relevant Regulations which define the appropriate limit for section 12 purposes are The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulation 2004 SI 2004 No 3244. These are known as the ‘Fees Regulations’ for brevity.

Regulation 4(3) of the Fees Regulations states that a public authority can take into account the costs

it reasonably expects to incur in carrying out the following permitted activities in complying with the request:

- (i) determining whether the information is held;
- (ii) locating the information, or a document containing it;
- (iii) retrieving the information, or a document containing it; and
- (iv) extracting the information from a document containing it.

Under those regulations PSNI can calculate the time spent on each of these permitted activities at £25 per hour (thus if the activity(s) takes more than 18 hours PSNI will be in excess of the 'appropriate limit').

I contacted PSNI Central Statistics Branch who performed a search for violence against the person offences recorded since April 2015 where the linked victim details include occupation Emergency Services – Ambulance service resulted in a total of 288 records being identified. Unfortunately It is not possible to establish if the occupation listed was the victim's occupation at the time of the assault (occupation details may not be updated if there are repeated contacts with police), or whether the occupation was relevant (e.g. victim may be employed by the ambulance service but may not have been on duty as an ambulance worker at the time of the assault). It is therefore estimated to manually trawl through each record would be take approximately 48 hours which grossly exceeds the FOI legislative cost of 18 hours.

Under Section 16 'Duty to Assist', please note that there is a specific offence of 'assaulting an ambulance worker' (offence code 4714054) which has been used a total of 43 times since it was introduced during 2016/17, and a total of 35 occasions have a linked occupation of 'ambulance worker'. Please note that this data may not be a true reflection of incidents involving 'Emergency Services – Ambulance Service' as the organisation may not be using this codes to its full potential and that incidents may be also recorded under the more generic code of 'violence against the person'.

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 and unfortunately on this occasion there is to refinement available.

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.psnipolice.uk](http://www.psnipolice.uk)

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