



FREEDOM OF INFORMATION REQUEST



Request Number: F-2018-00708

Keyword: Crime

Subject: Assaults on Police Officers

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

Under Freedom of Information legislation I wish to receive the information held by the PSNI relating to the number of assaults on police officers in Northern Ireland from 2016-2017 and 2017-2018. I also wish to know how many people were charged for assaulting a police officer in the same time periods (if there is a discrepancy in the figures), and how many people were prosecuted.

I would like to notify you of my intention to reuse this data for journalistic purposes. New guidance issued by the Information Commissioner’s Office advised that we state our intention to reuse datasets when requesting them. We may create interactive maps and will also make the data available to the public accessing our stories.

Please come back to me as soon as possible if there are any issues in complying with my request. I would appreciate a response within 20 working days.

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').

Statistics Branch has confirmed that in order to retrieve the requested information on the number of people that were charged for assaulting a police officer would require each individual record to be manually inspected and to do this would take a minimum of approximately 10 minutes per record. As an example, Statistics Branch completed an initial search of charge data for person's charged with Grievous Bodily Harm (GBH) or GBH with Intent (including attempts). Should a person be charged with GBH on a police officer, these circumstances would not be able to be identified without reading through the record as this is not a recordable offence on its own. This returned in excess of 400 records. To inspect each of these records would take approximately 66 hours to complete, therefore above the 18 hour limit set by the Secretary of State under the FOI Act.

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. Subject to any relevant exemptions, we may be able to provide the number of assaults on a police officer where the victim has been input on our system as "officer". Also, we may be able to provide the number of persons charged, and the number of people prosecuted, with the specific offence of Assault on Police only.

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.

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.psnj.police.uk

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