



FREEDOM OF INFORMATION REQUEST



Request Number: F-2019-00199

Keyword: Crime

Subject: Fraud Cases Ref Number of Staff Bank / Building Society

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 1

I would like to know the number of fraud cases where a member of a bank or building society has been involved. I would like to know the number of cases for each of the last three years (2018, 2017 and 2016), with the number broken down for each year.

Request 2

I would also like to know the number of times a bank staff member has been arrested for each of the past three years, again with the figures broken down for each year.

Request 3

Finally, I would like to know the total loss from cases where a member of bank staff was involved. Again, I would like the total amounts to be broken down for each of the last three years.

Answers

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').

From 1st April 2015 Action Fraud has taken responsibility for the central recording of fraud offences previously recorded by PSNI; Action Fraud became responsible for all such reports in England and Wales by 1st April 2014. Action Fraud is the UK's National Reporting Centre for fraud and internet crime reported directly to them from the public and other organisations. While this means that these fraud offences are **no longer recorded by PSNI**, Action Fraud figures relating to victims residing in Northern Ireland are provided to PSNI Statistics Branch on a monthly basis, the figures provided are simply number of fraud offences recorded by Fraud classification.

While Action Fraud continue to record fraud offences for Northern Ireland, PSNI have also started to record frauds again from April 2018. PSNI Central Statistics Branch have advised that the number of recorded fraud offences from 1 April 2018 to 31 December 2018 where the modus operandi (MO) location is 'Financial' or the Victim Business Type is either 'Financial' or 'Accounting/Financial' there a total of 160 records. These would have to be manually read through on Niche to identify if the victim was a bank and if the person involved in the offence was a member of staff at the bank. This is estimated to take approximately 27 hours thus taking this request well over the FOI legislative cost 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 unfortunately due to the PSNI recording system on this occasion refinement is not possible.

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.psni.police.uk

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