



FREEDOM OF INFORMATION REQUEST



Request Number: F-2018-02561

Keyword: Operational Policing

Subject: Arrest Warrants

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

Under Freedom of Information legislation, please can you provide the number of outstanding arrest warrants currently in force by the PSNI?

Request 2

Can these be broken down into the “wanted” categories, as set out by the PSNI?

1. Persons wanted for interview in relation to an offence
2. Persons wanted for arrest for breach of bail conditions
3. Persons wanted for arrest having failed to appear at a police station to answer bail
4. Persons wanted for arrest on foot of a bench warrant
5. Persons wanted for arrest on foot of a monetary penalty warrant
6. Persons wanted for arrest to be returned to prison having had their licence revoked
7. Persons wanted for arrest on foot of a European Arrest Warrant.

Request 3

Can these be broken down into offences committed by the “wanted” person?

1. Violence against the person
2. Sexual offences
3. Robbery
4. Theft offences
5. Criminal damage
6. Drug offences
7. Possession of weapons offences
8. Public order offences
9. Miscellaneous crimes against society

Request 4

What is the longest outstanding arrest warrant you currently have on file and what offence was committed?

Request 5

Please can you provide the number of outstanding arrest warrants as of October 2017?

Request 6

Please can you provide the number of outstanding arrest warrants as of October 2016?

Request 7

Please can you provide the number of outstanding arrest warrants as of October 2015?

Request 8

Please can you provide the number of outstanding arrest warrants as of October 2014?

Request 9

Please can you provide the number of outstanding arrest warrants as of October 2013?

Request 10

Please can you provide the number of outstanding arrest warrants as of October 2012?

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').

I contacted the Department Information Communication Services (ICS) who hold the information relevant to your request. The information may be held electronically however it also requires manual intervention. ICS have advised that information held on the electronic computer system NICHE can only provide the current status of outstanding warrants. This is because NICHE is a live system and there is no facility to ascertain a specific status on a specified or historic date. In addition there is no direct link between bench warrants, which are issued by the Court Service and the offence(s) for

which the warrant is being issued as no offences are listed within the warrant itself. The warrant is stored within a case file and although the case file will have linked offences, it is not possible to determine the particular offence or offences within the case file or the offences for which a warrant has been issued. However It may be possible to work out the correct linked offence by reviewing the outstanding offences on a case by case basis but as this is not held electronically it would require a manual trawl. It is therefore estimated that allowing a conservative estimate of 10 minutes per case and with an estimated 2763 outstanding warrants this would grossly exceed 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 and it may be possible to respond to requests 1 and 4, however 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.psnipolice.uk

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