



## FREEDOM OF INFORMATION REQUEST



**Request Number:** F-2022-00813

**Keyword:** Crime

**Subject:** Stolen Cars 2021

### 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) we can confirm that the Police Service of Northern Ireland (PSNI) 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.

We have explained to you below that when PSNI estimates whether the appropriate limit is likely to be exceeded, it can include the costs of complying with two or more requests if certain conditions are met. In this case those conditions are met and complying with all of your requests would in our estimation exceed that appropriate limit set out in Regulation. We have explained this further below but also we followed the Information Commissioner’s Office guidance ‘*Requests where the cost of compliance exceeds the appropriate limit*’ in relation to this request, which also provides further detail on the application of Section 12 (1) of the FOIA. This guidance is available on the ICO website at the following link:

[https://ico.org.uk/media/for-organisations/documents/1199/costs\\_of\\_compliance\\_exceeds\\_appropriate\\_limit.pdf](https://ico.org.uk/media/for-organisations/documents/1199/costs_of_compliance_exceeds_appropriate_limit.pdf)

You requested the following information from PSNI:

### Request 1

Please provide the total number of reported car thefts in 2021 reported to be taken from the following locations:

- Driveway
- Householder’s garage
- On street
- Public car park
- Private car park
- Other location

### Request 2

In how many instances of car theft over the past three years was the vehicle in question flagged as having an in-built or driver-installed location tracker?

- 2019

- 2020
- 2021

### **Request 3**

In how many of these cases did the presence of the tracker help in locating the whereabouts of the car following its theft?

- 2019
- 2020
- 2021

### **Request 4**

In total, how many incidences of aggravated vehicle taking were reported over the past three years?

- 2019
- 2020
- 2021

### **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’).

PSNI can advise that in relation to part 1 of the request, this information is not held in a retrievable format that provides the information without manual intervention and a comprehensive search would need to be conducted. PSNI have identified approximately 1,000 offences that would need manually examined to ascertain the location of where a vehicle reported as ‘stolen’ was taken from. It is estimated that to complete the manual examination of all offences would take approximately 150 hours, grossly exceeding the legislative timescale of 18 hours as set by the Secretary of State.

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.

### **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, we have considered how your request may be refined to bring it under the appropriate limit.

- For part 1 of the request, PSNI can provide the number of recorded '48 Theft or unauthorised taking of a motor vehicle' and '37.2 Aggravated vehicle taking' offences where a vehicle was classified as 'stolen'. This approach will not capture all vehicles reported as stolen, as it will not include vehicles stolen as part of a higher offence. Due to the incomplete and inconsistent use of the 'stolen' classification, it is not suitable to use this for offences other than vehicle-based theft offences.
- In relation to parts 2 and 3 of the request, PSNI can advise that the NICHE database is not able to identify whether a stolen vehicle had an in-built or driver-installed location tracker, or whether the presence of such a tracker helped in locating the stolen vehicle.
- In response to part 4 of the request, this information will be published on a financial year basis in Table 11 of the spreadsheet accompanying our year end Recorded Crime bulletin, which will be published on 12<sup>th</sup> May 2022 on the PSNI website. For assistance the link has been provided below:

<https://www.psni.police.uk/inside-psni/Statistics/police-recorded-crime-statistics/>

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 Corporate Information Branch, 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 Corporate Information Branch, 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 remain dissatisfied with the handling of your request, you may make a complaint to the Information Commissioner's Office, under Section 50 of the Freedom of Information Act, 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', or use the ICO self-service portal available at [www.ico.org.uk/make-a-complaint/officialinformation-concerns-report/official-information-concern/](http://www.ico.org.uk/make-a-complaint/officialinformation-concerns-report/official-information-concern/)

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 their 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.